

## ***BUDGET & FINANCE COMMITTEE***

***Of the***

### ***Suffolk County Legislature***

A meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on June 6, 2006.

#### **Members Present:**

Legislator Ricardo Montano • Chairman  
Legislator Louis D'Amaro • Vice•Chair  
Legislator Jon Cooper  
Legislator Vilorio•Fisher  
Legislator Cameron Alden  
Legislator Daniel Losquadro  
Legislator Jay Schneiderman

#### **Also In Attendance:**

Legislator John Kennedy • District #12  
George Nolan • Counsel to the Legislature  
Renee Ortiz • Chief Deputy Clerk of the Legislature  
Bob Martinez • Aide to Legislator Montano  
Michael Cavanaugh • Aide to Presiding Officer Lindsay  
Barbara LoMoriello • Deputy Chief of Staff to PO Lindsay  
Linda Burkhardt • Aide to Presiding Officer Lindsay  
Gail Vizzini • Director/Budget Review Office  
Lance Reinheimer • Assistant Director/Budget Review Office  
Robert Lipp • Chief Economist/Budget Review Office  
Paul Perillie • Aide to Minority Caucus

Eric Brown • Aide to Legislator Schneiderman  
Carl Yellon • Aide to Legislator Kennedy  
Melissa Sellars • Aide to Legislator D'Amaro  
Ben Zwirn • Assistant County Executive  
Brendan Chamberlain • County Executive Assistant  
Tom Vaughn • Neighborhood Aide/County Executive's Office  
Allen Kovesdy • Deputy Director/County Executive's Budget Office  
Lynne Bizzarro • Chief Deputy County Attorney  
Marian Zucker • Director of Affordable Housing/Dept of Economic Dev.  
Sandy Sullivan • Legislative Director/AME  
Janice Grackin • President/Girls Incorporated of Long Island  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney • Court Stenographer

***(\*The meeting was called to order at 9:35 A.M. \*)***

**CHAIRMAN MONTANO:**

We're going to call the meeting of the Budget & Finance Committee to order starting with the Pledge of Allegiance led by Legislator D'Amaro.

***Salutation***

Good morning, everyone. We don't have any correspondence but we have a speaker; Janice Grackin from the Girls Incorporated of Long Island.

**MS. GRACKIN:**

Well, I'm not going to take up a lot of your time. Some of you already know us, some of you have already been contacted individually. I have some materials here for you which I will leave.

Girls Incorporated is a national organization which is about 140 years old at

this point. It was originally the Girls Clubs of America and it was started in the mid to late 19th Century when young women started coming, leaving their homes to work and they needed a place to socialize because it wasn't appropriate for them to just be wandering around.

The original mission of the Girls Incorporated Centers was to provide a place where girls could learn the domestic skills that they would need for their future lives after that married. Obviously, it's evolved over time and we have a number of wonderful national identity programs that address a variety of issues that are important to girls everywhere, and certainly to girls on Long Island. Up until about a year ago now when we incorporated, there was not a Girls Inc., affiliate on Long Island, the closest one is in New York City. When I spoke with Joyce Roche who is the CEO of Girls, Inc., and asked her why there wasn't one on Long Island, she said, "Well, there's one in New York City," and I explained to her that for girls on Long Island it might as well be on the moon, particularly for girls toward the east end. And so we •• a group of women came together and we founded the Girls Incorporated of Long Island.

Over the last year •• this has actually been going on for over two years now, but over the last year since we came together as a founding board, we have obtained some funding, we are going to be •• we obtained a \$10,000 grant from the American Association of University Women for Community Action Project. We'll be implementing something called the Friendly Persuasion Program in the Central Islip Schools in partnership with the Urban League of Long Island. And that is •• it's a drug avoidance program and it's specially tailored for girls because it has a specific focus on tobacco, which we all know girls tend to believe that they need to be thin and that they'll stay thin if they smoke. So this program is a little different than other drug avoidance programs because it does have that focus for girls.

I could talk for a very long time about Girls Inc., and I know I don't have that much time which is why I brought this material. The national organization has a Girls Bill of Rights which some of you may have seen at some point, and basically it talks about girls having the right to be themselves and to be the best selves that they can be and that is, in a nutshell, the mission of the organization, to inspire all girls to be strong,

smart and bold.

And so I'm just going to leave you with these materials. In addition to the Girls Bill of Rights, there is a list with very brief descriptions of the Girls Incorporated National Identity Programs and my card with some contact information.

I'd be happy to answer any questions that you might have. We're building relationships right now, obviously looking for funding. Some of you •• if you're interested and would like to hear more, one of the members of the board, not necessarily myself, would be happy to come to speak with you about it. Right now we're stretching as much as we can so that we can begin providing some programming right away, we don't have any staff yet, we're just a board of volunteers but we are trying to start providing some program in various communities. We're also going to be presenting a program on career awareness in the South Country School District, probably next spring. So are there any questions?

**CHAIRMAN MONTANO:**

Well, before we take any questions, Janice, I want to thank you for coming before us. I know that you met with me in my office and I'll tell what I told all the other agencies that came before us. Whatever requests you have for inclusion in the budget this year, I would first approach the County Exec's Office because the County Exec's Office is the one that submits the budget to us. So if you're looking to get some program, maybe you can get a letter over there, you can send us a copy, you can send me a copy also as Chairman of the Budget Committee. And after that process, if you're not included in the County Exec's budget, then there is the possibility of the Legislature, if there is money available, and we don't know if that's going to happen this year, I don't want to let out any false hope on that, I think we had that.

**MS. GRACKIN:**

No, I understand that.

**CHAIRMAN MONTANO:**

So any questions from any members of the panel.

**LEG. VILORIA • FISHER:**

We've already met.

**MS. GRACKIN:**

Thank you for your time.

**CHAIRMAN MONTANO:**

Thank you, Janice.

Okay, before we move to the resolutions, Gail, is there anything that you want to bring forward maybe with respect to the budget, the Capital Budget now, or should we do that at another time?

**MS. VIZZINI:**

Just that we're working on the amendments and the Omnibus resolution and hopefully we'll be able to provide you with the detail by the date required.

**CHAIRMAN MONTANO:**

Okay. When do you think the Omnibus resolutions will be ready? One of the Legislators asked me when they would get a chance to look at that; because we're voting on that on Tuesday, right?

**MS. VIZZINI:**

Yes, correct. We're scrambling, we're trying to get it to you, you know, within the required period.

**CHAIRMAN MONTANO:**

I understand.

**LEG. D'AMARO:**

I have a question.

**CHAIRMAN MONTANO:**

Legislator D'Amaro has a question.

**LEG. D'AMARO:**

Gail, with the resolutions that we're going to review, are you also going to provide the revised charts and data as to how the amendments affect the debt service?

**MS. VIZZINI:**

What we typically do at the end of the Omnibus, we have •• we're required to summarize what the impact would be, then each of the standalones has a separate and individual impact, but we don't do that cumulatively.

**LEG. D'AMARO:**

Okay, very good. Thank you.

**CHAIRMAN MONTANO:**

Okay, if it's all right I'm going to move right into the resolutions starting with Tabled Resolutions.

### **Tabled Resolutions**

***1049•06 • Repealing home energy nuisance taxes on Suffolk County residents (Alden).***

**LEG. ALDEN:**

Motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstentions? ***Tabled (VOTE: 7•0•0•0).***

***Resolution 1052•06 • Establishing a program to reduce unfair home energy nuisance taxes on Suffolk County residents (Alden).***

**LEG. ALDEN:**

Motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstentions? ***Motion to table carries (VOTE: 7•0•0•0).***

***1158•06 • Amending the 2006 Operating Budget to transfer funding for the Suffolk Community Council Transportation Advocacy Program (Viloria•Fisher).*** Is there a motion on this?

**LEG. VILORIA•FISHER:**

I need to ask Budget Review something about this.

**CHAIRMAN MONTANO:**

Go ahead.

**LEG. VILORIA•FISHER:**

Gail, you know that we've had a problem with this funding for this •• for this entity and I was wondering, do you or maybe Ben would know, do we have a willingness to work with this contract at this point? I don't know whether we need to table it again or if the departments are willing to go ahead and do the work. I think it's going through the Health Department to Suffolk Community Council?

**MS. VIZZINI:**

That's correct, the latest amended copy places this contract under the administration of the Health Department because of the population served.

**LEG. VILORIA•FISHER:**

Right, it's the people with disabilities, persons with disability.

**MS. VIZZINI:**

Correct. I have not had an opportunity to speak directly with the Health Department, but it is a good fit in terms of the ••

**LEG. VILORIA•FISHER:**



Well, we thought so.

**MS. VIZZINI:**

Yes.

**LEG. VILORIA • FISHER:**

Thank you, and thank you for your help with this. I'm going to make a motion to approve, then, if we have not had any negative reaction to it.

**CHAIRMAN MONTANO:**

One question. This is part of •• this was part of the Omnibus, this is not an amendment to that, this is just transferring money that was allocated from one agency to another; is that correct?

**LEG. VILORIA • FISHER:**

That's correct.

**CHAIRMAN MONTANO:**

Okay.

**MS. VIZZINI:**

It's actually the same agency, it's just what department will administer this contract.

**CHAIRMAN MONTANO:**

Okay. Ben, did you want to weigh in on this?

**MR. ZWIRN:**

We just •• just for an explanation as to what this contract is for.

**CHAIRMAN MONTANO:**

Well, I'll let the sponsor answer that because I don't know. Legislator Fisher?

**LEG. VILORIA • FISHER:**

This is the Suffolk Community Council Transportation Advocacy and there's one person who has the lead roll in it, Clifford Hymowitz, and they do a lot of



work with helping different groups across Long Island, across Suffolk County rather, apply for grants for transportation, they do a lot of work with the Transportation Advisory Task Force, a lot of presentations at Legislators' offices and does a lot of interacting between Legislators and Mr. Shinnick in the transportation department, Division of Transportation. There's a lot of good work that's done by this group and they have been doing a lot of good work for many years and they were promised this amount of money and have expended it and have •• there is no department that has administered the money. It was part of the budget, it was money that they had anticipated, they had worked with Legislator Foley while he was still sitting here at the Legislature. And just out of fairness, when we do a telecontract agency this or a not•for•profit, that they will be expecting an amount of money when it's written into the budget. I believe that we should keep up our end of the bargain and let them have the money that has been put in the budget for their use.

**MR. ZWIRN:**

The question the County •• we had was was this going to Mr. Hymowitz, is this a contract for him personally or is there money going to an organization that's going to be paid out for different programs; that's what we were curious about. Because Mr. Hymowitz is a volunteer on the Transportation Advisory Board.

**CHAIRMAN MONTANO:**

Right, but we wouldn't allocate money to Mr. Hymowitz personally, this would have to go through an organization, wouldn't it?

**LEG. VILORIA•FISHER:**

Yes, it's going through the Suffolk Community Council, Transportation Advocacy.

**CHAIRMAN MONTANO:**

Are they a not•for•profit?

**LEG. VILORIA•FISHER:**

Yes.

**CHAIRMAN MONTANO:**

Okay.

**LEG. ALDEN:**

Mr. Chairman?

**CHAIRMAN MONTANO:**

All right, we have a motion to approve.

**LEG. VILORIA • FISHER:**

There's a question here.

**CHAIRMAN MONTANO:**

Do we have a second on that.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

All right, on the question, Legislator Alden.

**LEG. ALDEN:**

The first criteria I'm going to use to evaluate whether I should vote for this or not support it is was it part of the Omnibus and I think that was answered.

**LEG. VILORIA • FISHER:**

Yes.

**CHAIRMAN MONTANO:**

That was the answer.

**LEG. ALDEN:**

It was your part of the Omnibus?

**LEG. VILORIA • FISHER:**

Mr. Foley.

**LEG. ALDEN:**

Oh, okay, so it was Brian's part. Then secondly, I think that we have in place, though, checks and balances, this can't just go for salaries. And I'll direct that to Legislative Counsel.

**MR. NOLAN:**

The money is going to go to the Suffolk Community Council to administer this program, I believe they're going to subcontract with the group that Mr. Hymowitz heads. How exactly it's going to be disbursed I don't know, but he is •• the contract that's developed will spell out their responsibilities and what they're supposed to provide the County in terms of advocacy for transportation.

**LEG. ALDEN:**

Okay, because it's my understanding that over the past couple of years •• and I've only been here about nine years, but we did have some problems year ago and now we've had •• you know, like we've taken a number of steps to make sure that this does not just directly go to people's •• you know, the salary accounts. And correct me if I'm wrong, there's even a percentage that a not•for•profit to be eligible for our funding, there's only a small percentage that they could spend in management or overhead, so to speak, and then the rest of it actually has to go to goods and services.

So with that being said, I would have to rely on the County Attorney's Office, the County Executive's Office to make sure that there's compliance with all those laws and rules and regulations and then I find that I can support this.

**LEG. VILORIA•FISHER:**

And that's the role of the department as well, to have that oversight.

**LEG. ALDEN:**

Good.

**LEG. VILORIA•FISHER:**

And they do do some printing and handouts, you know, have a

programmatic approach to this. As I said, it was something that we had put in the Omnibus and, you know, hopefully •• perhaps it was Mr. Foley and then he passed it on to whoever was in his place.

**CHAIRMAN MONTANO:**

Right, but it •• the fact is it was in last year's Omnibus budget. So we're not changing anything, we're just changing the agency that the Council will •• the agency that will administer the grant.

**LEG. VILORIA • FISHER:**

Right.

**LEG. ALDEN:**

Right, but it's a real concern that, you know, all of a sudden the person doesn't go from volunteer status to making \$125,000 a year because we're going to give him a grant. So that's of real concern.

**CHAIRMAN MONTANO:**

Well, how large is the grant.

**MR. NOLAN:**

Twenty thousand.

**LEG. VILORIA • FISHER:**

It's \$20,000.

**LEG. ALDEN:**

All right, enough said.

**CHAIRMAN MONTANO:**

Enough said. Are there any other questions on this? We have a motion to approve ••

**LEG. ALDEN:**

It's still a problem.

**LEG. MONTANO:**

•• and a second. Okay, hearing none, all in favor? Opposed? Abstentions? Motion carries. ***Approved (VOTE: 7•0•0•0).***

***1169•06 • Amending the 2006 Operating Budget transferring funds to provide for Emergency Medical Care training and Equipment (Lindsay).***

I have a note to table this at the request of the sponsor.

**LEG. COOPER:**

Second.

**LEG. VILORIA•FISHER:**

Second.

**CHAIRMAN MONTANO:**

Is that correct?

**LEG. D'AMARO:**

Yes.

**CHAIRMAN MONTANO:**

I'll make that motion, second by Legislator Fisher. All in favor? Opposed? Abstentions? Motion carries, ***tabled (VOTE: 7•0•0•0).***

***1175•06 • Adopting ••*** I'm sorry, Jay.

**LEG. SCHNEIDERMAN:**

I make a motion to approve.

**CHAIRMAN MONTANO:**

Which one?

**LEG. SCHNEIDERMAN:**

1175.

**CHAIRMAN MONTANO:**

Let me read it first. ***IR 1175•06 • Adopting Local Law No. 2006, a Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues (Romaine).*** You want to make a motion?

**LEG. COOPER:**

Motion to table.

**LEG. SCHNEIDERMAN:**

I was trying to beat the motion to table.

**CHAIRMAN MONTANO:**

It doesn't matter, the motion to table takes precedence. Do you have a motion to approve?

**LEG. SCHNEIDERMAN:**

Of course.

**CHAIRMAN MONTANO:**

All right. Do we have ••

**LEG. ALDEN:**

I'll second that.

**CHAIRMAN MONTANO:**

All right, we have a motion and a second. Do we have another motion?

**LEG. COOPER:**

Motion to table.

**CHAIRMAN MONTANO:**

Do we have a second on that?

**LEG. D'AMARO:**

Second.

**CHAIRMAN MONTANO:**

All right, motion to table takes precedence. On the motion? Okay, hearing none, all in favor of tabling? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed.

**LEG. ALDEN:**

Opposed.

**LEG. LOSQUADRO:**

Opposed.

**CHAIRMAN MONTANO:**

Okay, three oppositions. Abstentions? ***Motion to table carries (VOTE: 4•3•0•0 Opposed: Legislators Schneiderman, Alden & Losquadro).***

***IR 1239•06 • Establishing a new program in the Office of Women's Services for mitigating domestic violence (Stern).*** Do I hear a motion?

**LEG. VILORIA•FISHER:**

Motion.

**CHAIRMAN MONTANO:**

Motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Second.

**LEG. ALDEN:**



On the motion?

**CHAIRMAN MONTANO:**

On the motion, I have a question but I'll yield to Legislator Alden.

**LEG. ALDEN:**

We were waiting for a •• I believe a decision to come down.

**LEG. VILORIA•FISHER:**

Yes, he got that answered.

**CHAIRMAN MONTANO:**

That's my question also; what's the status of that?

**MR. ZWIRN:**

We did get a decision and it's •• the bill has been amended to reflect the parameters of the decision of the 2nd Department.

**CHAIRMAN MONTANO:**

Do you have an idea what the decision of the 2nd Department was, in a nutshell.

**MR. ZWIRN:**

George, did you see a copy of the ••

**CHAIRMAN MONTANO:**

No, I didn't see it; my aide probably saw it.

**MR. ZWIRN:**

I'm talking to Legislative Counsel.

**MR. NOLAN:**

The opinion or decision from the Appellate Division says that the Touro students cannot work on disputed matrimonials, only contested matrimonials. So this resolution has been changed to reflect that, that Nassau•Suffolk will continue to do the disputed matrimonials and Touro will do the non•disputed matrimonials.

**CHAIRMAN MONTANO:**

And how much is the program here, what's the amount on that?

**LEG. LOSQUADRO:**

One sixty•two, two twenty•five.

**CHAIRMAN MONTANO:**

All right; was that in the Omnibus?

**MS. BURKHARDT:**

A hundred and sixty•two thousand.

**CHAIRMAN MONTANO:**

Thank you, Linda. Now, where did this originate from is my question.

**LEG. VILORIA•FISHER:**

Nassau•Suffolk Law Services.

**MS. VIZZINI:**

Nassau•Suffolk Law Services was restored closer to the 2005 adopted, they got an additional 87,000 and it was really for this aspect of things.

**CHAIRMAN MONTANO:**

Okay, you've answered my question then. Thank you, Gail; unless you want to go on, I didn't mean to cut you off. But that's the question I had, it basically was in Law Services.

**MS. VIZZINI:**

Yeah, the breakout is 75 to Touro and 87 to Nassau•Suffolk Law.

**CHAIRMAN MONTANO:**

Okay. We have a motion and to approve. All in favor?

**LEG. ALDEN:**

I have a question.

**CHAIRMAN MONTANO:**

Oh, I'm sorry, Legislator Alden has a question.

**LEG. ALDEN:**

Maybe it's for Gail; Gail, have you had discussions with Nassau•Suffolk Law Services? Because I recently did and they feel that even with this, they're really stretched.

**MS. VIZZINI:**

I haven't had recent discussions with them, no.

**LEG. ALDEN:**

Okay. And this will help this year or this goes for ••

**CHAIRMAN MONTANO:**

It will help as soon as they get the money.

**LEG. ALDEN:**

Yeah, but when is it scheduled to start? That's basically the question.

**CHAIRMAN MONTANO:**

The County Exec is going to have to work on a contract I think, right; is that correct, Ben?

**MR. ZWIRN:**

Expeditiously, I mean, because it's been something the County Exec has supported.

**MS. VIZZINI:**

The other thing that the resolution does ••

**CHAIRMAN MONTANO:**

Oh, is that why it's expeditiously? Thank you, Ben.

**MR. ZWIRN:**

That's exactly right.

**CHAIRMAN MONTANO:**

Did you get all of that?

**MR. ZWIRN:**

Did I tell you something that you didn't already know.

**MS. VIZZINI:**

The other thing that the resolution does is it transfers the administration of the contracts from Social Services to the County Executive's Office for Women, since it's for divorce assistance for victims of domestic violence.

**LEG. ALDEN:**

Just this one contract, though, right?

**MS. VIZZINI:**

Yes, Nassau•Suffolk Law will maintain a contract with Social Services for about 183,000, in addition to this.

**LEG. ALDEN:**

The rest of my comments then would be more appropriate when we get into next year's budget because •• and I'm sure that Nassau•Suffolk Law Services will come down and make a presentation.

**CHAIRMAN MONTANO:**

I'm sure.

**LEG. ALDEN:**

But I would also like to be listed as a cosponsor.

**CHAIRMAN MONTANO:**

Yes, if I'm not a cosponsor on this, would you also list me as a cosponsor?

**LEG. SCHNEIDERMAN:**

Can I be listed as well as a cosponsor?

**CHAIRMAN MONTANO:**

Does anyone not want to be a cosponsor?

**LEG. COOPER:**

Everyone except for Dan.

**LEG. LOSQUADRO:**

I didn't get a chance to put my hand up yet.

**CHAIRMAN MONTANO:**

I think we all want to cosponsor this.

**LEG. LOSQUADRO:**

Please list all members of the committee.

**CHAIRMAN MONTANO:**

Okay. IR •• oh, wait, we have to take a vote, right? All in favor?  
Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0)***.

***IR 1409•06 • A Local Law further extending first time homeowner  
County property tax exemption (County Executive).***

**LEG. COOPER:**

Motion to approve.

**LEG. VILORIA•FISHER:**

Second.

**CHAIRMAN MONTANO:**

Any questions? We'll take a vote. All in ••

**LEG. ALDEN:**

Oh, I'm sorry.

**CHAIRMAN MONTANO:**

Go ahead, Legislator Alden.

**LEG. ALDEN:**

Just refresh our memory on how this works.

**CHAIRMAN MONTANO:**

Explanation?

**DIRECTOR ZUCKER:**

Good morning. This is a State law that allows for local taxing authorities to provide an exemption for first-time homebuyers, it's a ten year exemption which provides for people who are income eligible who purchase homes that meet the State-established SONYMA maximum limit to get a tax exemption that steps down over a period of five years.

**LEG. ALDEN:**

May I ask ••

**DIRECTOR ZUCKER:**

What the County is voting on •• excuse me, Legislator Alden •• is to allow the exemption of its portion only of the property tax.

**LEG. ALDEN:**

Right. Now, does this phase-in over ten years, similar to the program that Islip had?

**DIRECTOR ZUCKER:**

No, it actually phases out so that you get the full exemption year one and then it steps down.

**LEG. ALDEN:**

That's what I meant, the taxes phase in over a period of years. Is there a restriction, resident restriction on it?

**DIRECTOR ZUCKER:**

Yes, you must be a full-time resident of the house.

**LEG. ALDEN:**

And no rentals?

**DIRECTOR ZUCKER:**

No leasing allowed.

**LEG. ALDEN:**

Okay, and how is that policed?

**DIRECTOR ZUCKER:**

Through the town, it's the town •• a homeowner needs to apply through the Town Assessor's Office. I actually don't know what towns have implemented in terms of checking on each of their homeowners who have opted in to the program.

**LEG. ALDEN:**

Okay, that's going to be a little disjointed then throughout the County because each town has different levels of ••

**DIRECTOR ZUCKER:**

Oversight.

**LEG. ALDEN:**

Like Smithtown is very, very active in ••

**CHAIRMAN MONTANO:**

Yeah, enforcement.

**LEG. ALDEN:**

•• participation enforcement, whereas other towns are a little lax.

**DIRECTOR ZUCKER:**

Right. Remember, this is a program for first•time home buyers currently for newly constructed houses, the State is considering expanding this program for existing houses. But the universe of people that it applies to, it's not huge.

**LEG. ALDEN:**

No, but this doesn't necessarily have to be a County program, it doesn't have to be purchased from the County, it can be a purchase from a private



entity, then they just make the applications available through your office?

**DIRECTOR ZUCKER:**

No, actually it's available through the State, it's up on our website but the applications are also available through each of the Town Assessor's Offices.

**LEG. ALDEN:**

And not through Joe Sanseverino's office, Community Development?

**DIRECTOR ZUCKER:**

It's available I know on the Workforce Housing website, it's something that's just available •• actually, from the State Department of Real Property.

**LEG. ALDEN:**

Okay, thanks.

**CHAIRMAN MONTANO:**

All right. One quick question; you said there were income eligibility guidelines?

**DIRECTOR ZUCKER:**

I knew you were going to ask me that.

**CHAIRMAN MONTANO:**

How did you know that.

**DIRECTOR ZUCKER:**

It's the SONYMA limit which unfortunately off the top of my head I don't know, but it's somewhere around 100% of median income, so it's up in the 80 to \$90,000 range.

**CHAIRMAN MONTANO:**

Per family?

**DIRECTOR ZUCKER:**

Per family.

**CHAIRMAN MONTANO:**

Okay. Legislator Losquadro has a question, or a couple of questions, I don't know.

**LEG. LOSQUADRO:**

Yeah and not ••

**DIRECTOR ZUCKER:**

Good morning.

**LEG. LOSQUADRO:**

No offense, but •• not to you, Marian, more to the County Executive. In looking, I see that the only thing here is that this will have, as it's put, a slightly negative tax impact as it reduces property tax collection on certain qualified properties. What exactly ••

**MR. ZWIRN:**

Because everybody else picks up the difference.

**CHAIRMAN MONTANO:**

And what is the fiscal impact; is that where you're going, Legislator Losquadro?

**LEG. LOSQUADRO:**

Yeah, exactly.

**MR. ZWIRN:**

County•wide there isn't any because what happens is is that the tax burden is shifted to everybody else.

**LEG. LOSQUADRO:**

I'm sorry, Counsel was saying something; could you repeat that, please?

**MR. ZWIRN:**

What happens is as their taxes are reduced, the portion that they have not paid will be spread out among the other taxpayers in the district.

**MR. NOLAN:**

It doesn't change the levy.

**MR. ZWIRN:**

It doesn't change the levy.

**CHAIRMAN MONTANO:**

It doesn't change. Right, I understand that, but that's not my question.

**LEG. LOSQUADRO:**

I just wanted to make sure because •• I guess I should have asked Counsel because it was his notation here. Thank you.

**CHAIRMAN MONTANO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

It sounds great, we've got to do the numbers a little bit here.  
The median income we said is around 80,000 and you said ••

**DIRECTOR ZUCKER:**

The median family income is approximately 88, 000. I know the SONYMA limits are ••

**LEG. SCHNEIDERMAN:**

And it only applies ••

**DIRECTOR ZUCKER:**

The SONYMA limits •• I'm sorry, Jay. The SONYMA limits which govern this program are higher than that.

**LEG. SCHNEIDERMAN:**

Okay.

**DIRECTOR ZUCKER:**

And I knew I was going to be asked and I'm sorry I don't have the number

with me.

**LEG. SCHNEIDERMAN:**

But it only applies to newly constructed homes.

**DIRECTOR ZUCKER:**

It's newly constructed, yes. I spoke to Assemblyman Sweeney's aide and they are considering expanding this program for existing homes as well.

**LEG. SCHNEIDERMAN:**

All right, because currently it's newly constructed, so the question then has to be can somebody making 80,000 buy a house that's newly constructed? Is there •• typically you can buy at max three times your income, right? So a \$240,000 brand new home, is there such a thing on Long Island?

**DIRECTOR ZUCKER:**

Well, certainly, you know, of the ten homes that are being built in the Town of East Hampton on land the County transferred to the town, the Patchogue initiative which you'll be seeing in the next cycle has homes in the one eight •• actually 160 to 240 range. So I think it actually will apply specifically to homes that we're otherwise supporting through our programs.

**LEG. SCHNEIDERMAN:**

Through the program but not on the free market.

**DIRECTOR ZUCKER:**

On the free market I would say it's unlikely. But we're also seeing ••

**LEG. SCHNEIDERMAN:**

Let me know if you find one.

**DIRECTOR ZUCKER:**

Yeah. We're also seeing towns, the Town of Islip right now in a Central Islip location has required through inclusionary zoning a set•aside of homes for 20% of the homes for people at a hundred percent of median income or below; those homes I think are going in the 220 range. So there are bits and pieces.

**LEG. SCHNEIDERMAN:**

So it could apply to those, too, okay.

**DIRECTOR ZUCKER:**

Yeah, there are things around.

**LEG. SCHNEIDERMAN:**

So there is some pool of people who can qualify.

**DIRECTOR ZUCKER:**

Yes.

**CHAIRMAN MONTANO:**

Marian, there's no fiscal impact because the County is not losing any money because we're spreading the taxes over the general population. My question is how much are we spreading over the general population? In other words, what does this program cost the taxpayer in terms of having to pick up additional tax expenses because of the exemption; has anyone done any of those figures?

**MR. KOVESDY:**

Being it's the County portion only and the County portion is rather low and it's being spread over a gigantic base, it would be pennies.

**CHAIRMAN MONTANO:**

Okay. Any other questions?

**LEG. D'AMARO:**

I just want to make ••

**CHAIRMAN MONTANO:**

Legislator D'Amaro?

**LEG. D'AMARO:**

•• a point that three times the income is really how much debt service you

could afford, not the cost of the home. So you could buy a \$500,000 home if you had the down payment, but your income may be lower. Or if a family member, sometimes ••

**CHAIRMAN MONTANO:**

Do we need to get into that?

**LEG. SCHNEIDERMAN:**

On that, there's a lot of actually •• that's really a back of the envelope figure anyway, three times •• the offers say two•and•a•half times; it really depends on interest rates and what your property taxes are and other factors.

**LEG. D'AMARO:**

Yeah, there's a lot of factors.

**LEG. SCHNEIDERMAN:**

Not so much the County taxes but school taxes and town taxes.

**LEG. D'AMARO:**

Right, but the three times income really goes to what you can afford to carry. A lot of times family members may help out with the cost of a home, you know, things like that, just to clarify.

**LEG. COOPER:**

And the going rate for a kidney is about 50,000 I think.

**LEG. SCHNEIDERMAN:**

There may be on this program, maybe Marian can help, I don't think even if your income is 80,000 and you somehow have the cash to buy a half a million dollar home, it probably wouldn't apply. The house ••

**DIRECTOR ZUCKER:**

No, there is a price limit on the house, it's the SONYMA price limit.

**LEG. D'AMARO:**

What is the price limit; do you know what the price limit is?

**DIRECTOR ZUCKER:**

I think it's \$420,000, approximately.

**LEG. D'AMARO:**

So the program caps the price at 420?

**DIRECTOR ZUCKER:**

It caps the price. Actually, it's a floating cap, as is the income, it caps the price at the SONYMA mortgage limits. The SONYMA is the mortgage agency for the State of New York, they raise funds through tax exemption borrowings. Since their money is tax exempt, obviously they can lend it at lower rates.

**LEG. D'AMARO:**

So the exemption only applies for new construction homes selling for under \$420,000.

**DIRECTOR ZUCKER:**

Under the then current SONYMA limit to families earning under the then current SONYMA income limit.

**LEG. D'AMARO:**

Right, okay.

**CHAIRMAN MONTANO:**

Legislator Viloria•Fisher has a question.

**LEG. VILORIA•FISHER:**

I recall this resolution because this is an extension.

**DIRECTOR ZUCKER:**

Yes, exactly.

**LEG. VILORIA•FISHER:**

I thought I would remember that it's either new construction or major renovation for a first•time homeowner on a house that had a major



renovation of over a certain amount of money? I don't see it here but I thought I recalled that in the original legislation. Anybody from Budget Review recall whether that was another piece of it?

Okay, you know what? I'll reserve that question but I just thought •• I'm just mentioning this for clarification. But I'm pretty certain, if memory serves, that it was either new construction or major renovation for a first •time homeowner, you know, if they were moving into the house that had just gone through a whole revitalization. Okay, I'll check it myself, I don't want to use the time.

**DIRECTOR ZUCKER:**

Yeah, I'm looking at the current bill and I have a similar recollection, I'm just not seeing it, though.

**LEG. VILORIA • FISHER:**

It's not in this bill, but I thought I remembered it in the original bill, that this is extending. So, Marion you and I will talk about this.

**DIRECTOR ZUCKER:**

Yes, sure.

**LEG. VILORIA • FISHER:**

I don't know, would it not be included if it's not in this particular bill, even though this is just extending the other one?

**DIRECTOR ZUCKER:**

Well, this bill just extends the deadline. I'm looking at the current code and it seems to apply only to new construction, but I have a similar recollection to yours.

**LEG. VILORIA • FISHER:**

Okay.

**CHAIRMAN MONTANO:**

But this bill you said just extends the deadline, so whatever is applicable before would be applicable now ••

**LEG. VILORIA • FISHER:**

Right.

**CHAIRMAN MONTANO:**

•• because of the extension of the deadline.

**DIRECTOR ZUCKER:**

Exactly, yes.

**CHAIRMAN MONTANO:**

Okay.

**LEG. D'AMARO:**

It's basically SONYMA limits.

**CHAIRMAN MONTANO:**

Any other questions?

**LEG. VILORIA • FISHER:**

Thanks, Marian.

**CHAIRMAN MONTANO:**

Motion to approve. All in favor? Opposed? Abstentions?

Motion carries, ***Approved (VOTE: 7•0•0•0).***

**LEG. D'AMARO:**

Mr. Chairman, can I be added as a cosponsor, please, on that bill?

**LEG. SCHNEIDERMAN:**

Put me down, too, as a cosponsor.

**LEG. LOSQUADRO:**

Cosponsor.

**CHAIRMAN MONTANO:**

***1488•06 • Adjusting the existing one percent sales and***

***compensating use tax revenue for public safety purposes (Romaine).***

**LEG. COOPER:**

Motion to table subject to call.

**CHAIRMAN MONTANO:**

Do I have a second on that?

**LEG. LOSQUADRO:**

How about just a motion to table?

**LEG. COOPER:**

Motion to table subject to call.

**CHAIRMAN MONTANO:**

Do I have a second?

**LEG. VILORIA•FISHER:**

I'll second that.

**LEG. ALDEN:**

On the motion.

**CHAIRMAN MONTANO:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

Could you just explain what this adjustment would be, or through Counsel?

**MR. NOLAN:**

Under the current County resolution, the County has the discretion to dedicate between one•eighth and three•eighths of the additional one penny sales tax for public safety purposes. This law would require that at least one •quarter of 1% of that money be dedicated to public safety.

**LEG. ALDEN:**

That's overall, right?

**MR. NOLAN:**

It's for the one penny additional sales tax revenue. The State enabling legislation give us the discretion between an eighth and three•eighths, that's the way our sales tax resolution is set up right now, this would set the floor at a quarter of a percent.

**LEG. ALDEN:**

I think this is a legitimate point that we should be looking at, especially going into our next budget cycle. And to table it subject to call just means it wants to be removed from the agenda so that we never look at it again, and I think that that's a little bit, you know, of a Draconian type of nature of action, especially since something like this is so important that we really should be looking at it. So I just think that's an overreaction to it and I would hope that we table it rather than table it subject to call.

**CHAIRMAN MONTANO:**

Ben, do you want to weigh in?

**MR. ZWIRN:**

I would just add that the Legislature has the authority to do this anyway. I mean, this legislation does nothing, you have the power to go from zero to three•eighths now.

**CHAIRMAN MONTANO:**

Ben, this resolution, isn't this a carry•over from last year?

**LEG. SCHNEIDERMAN:**

No.

**CHAIRMAN MONTANO:**

It's not?

**MR. ZWIRN:**

No.

**LEG. SCHNEIDERMAN:**

And I think it does a little bit more than Counsel said, but Counsel, correct me if I'm wrong. It actually says that that quarter will go into the Police District specifically so that we •• it really •• the genesis of this was to let the towns be able to predict in their budgeting how much they will need for their own public safety to know what the County's portion they could predict.

The County right now, when it applies its public safety funds, doesn't have to put it into the Police District, it could put it into whole County the types of police functions in which case the towns get nothing, so they can get anywhere from nothing to, you know, whatever we determine in the budget. This was really a way of letting the towns have a predictable revenue stream, and I think that's where this comes from

**MR. NOLAN:**

Actually, the sales tax resolution does not say that it goes into the Police District, it says it will be used for public safety purposes which is broader.

**LEG. D'AMARO:**

Right.

**LEG. SCHNEIDERMAN:**

Okay. Well, in effect, that doesn't necessarily provide the kind of predictability then that I think the sponsor hopes for.

**LEG. D'AMARO:**

Right, but that's not a function of the percentage, that's a function of the other wording as to how you use the funds.

**LEG. SCHNEIDERMAN:**

A combination of the percentage and how it gets applied.

**CHAIRMAN MONTANO:**

Okay, we're going to have a debate; anyone else?

**LEG. VILORIA • FISHER:**

I have a question.

**CHAIRMAN MONTANO:**

Legislator Viloria•Fisher.

**LEG. VILORIA•FISHER:**

This was much discussed last year. And if I recall, wasn't there a round table discussion with the County Executive and the town supervisors on setting a formula •• well, not a formula but setting a revenue stream for the next five years and that the supervisors at that time seemed to be satisfied with the agreement that they came to?

**LEG. SCHNEIDERMAN:**

That was •• the bill we tabled earlier, 1175, that dealt specifically with the revenue sharing issue of dividing it based on population. This is something slightly different, this is something that came from Legislator Romaine who wasn't here last year and this particular element was not discussed prior to this year.

**LEG. VILORIA•FISHER:**

But it does speak to the revenue sharing issue and it does speak to what portion of that sales tax will be allocated to those towns and I believe that that was the •• Ben, wasn't that that the basic contention in those discussions with the town supervisors, that there had been an issue of revenue sharing and equitable revenue sharing? And so the County Executive sat with the supervisors of the towns and I guess the Village Mayors, whoever was involved in revenue sharing, and came to an agreement for the next few years? I'm just dealing from memory.

**MR. ZWIRN:**

I think there was an agreement that was reached between Legislator Caracciolo at that time and the County Executive, because there was a bill in similar to 1175 last year.

**LEG. VILORIA•FISHER:**

The town supervisors were included in those discussions.

**MR. ZWIRN:**

I think they were apprised of it, but I think they •• certainly they would have wanted more money.

**LEG. ALDEN:**

I can help.

**MR. ZWIRN:**

But the money was put in the budget for this year and there was a formula spelled out for the next five years.

**LEG. VILORIA•FISHER:**

Okay, so there is something spelled out for the next five years, so there is then predictability based on whatever was spelled out for the next five years.

**MR. ZWIRN:**

Correct, depending upon what funding was available.

**CHAIRMAN MONTANO:**

Legislator Alden?

**LEG. ALDEN:**

Just to add a slight amount more to that. The Village Mayors and some of the towns and people that came down were not real happy with even what's going to go on for the next five years. So if you want to open that door and see what comes through it again, you'll have all those guys sitting here again and I don't know if that's productive at this point in time. But they're not real happy with, you know, even what's going to happen over the next five years, but it was a compromise that took place between Legislator Caracciolo and the County Executive minus all the rest of the players in that. They came down and spoke to us at the Legislature, but they weren't in on that final negotiation where a compromise bill was struck. And I dare say that, you know, during the budget, our budget, operating budget discussions later this year, they're going to be down again asking for the same thing and that's an increase and/or •• this is an attempt to go with a bottom line and that's part of what Legislator Caracciolo tried to do last year was a bottom line guarantee, and I think that our Counsel has explained

that this doesn't exactly hit that nail right on the head, it misses it a little bit.

**CHAIRMAN MONTANO:**

All right, Legislator ••

**LEG. LOSQUADRO:**

Well, if I might.

**CHAIRMAN MONTANO:**

Hold on. Are you done, Legislator Alden?

**LEG. ALDEN:**

Yes, thank you.

**CHAIRMAN MONTANO:**

Legislator Losquadro and then Legislator D'Amaro.

**LEG. LOSQUADRO:**

Thank you. Ben had made the comment of saying depending on what funding is available, and I think that to put this simply, it really just fills the pot to a different level by guaranteeing that quarter percent, from there •• that's the funding that's available, from there then that money can be distributed. And I think the point of all of this is there are more discussions to be had here, there are different people to bring into this debate and I really don't see the reason to table this subject to call and take it off of the agenda. I feel there is enough discussion to be had here to simply table this, look into it further, get more information on it and continue the debate as we normally do. I don't see any reason •• I think this bill has enough merit and it is a laudable enough goal by simply seeking to increase the amount of money funding available that can then be dispersed to keep it on the agenda. So again, I reiterate the motion to table.

**CHAIRMAN MONTANO:**

Legislator D'Amaro?

**LEG. D'AMARO:**



Yeah, I had a question for Budget Review. What was the percentage from the one penny that was dedicated to public safety purposes in last year's operating budget, if you know?

**LEG. SCHNEIDERMAN:**

In dollars?

**LEG. D'AMARO:**

Percentage wise.

**MR. LIPP:**

It was a full quarter cent in 2005 last year or 64 million was placed in the budget. This year it's 58.6 million, a fixed amount which effectively from the budget is seven million less than a quarter percent.

**LEG. D'AMARO:**

All right. So last year in 2005 it was a quarter percent, is that what you said?

**MR. LIPP:**

Correct.

**LEG. D'AMARO:**

And this year?

**MR. LIPP:**

It is a fixed dollar amount ••

**LEG. D'AMARO:**

Right.

**MR. LIPP:**

•• that winds up effectively being \$7 million less than a quarter cent.

**LEG. D'AMARO:**

So it's approaching the three•eighths ••

**MR. LIPP:**

No, no, it's actually slightly less than a quarter cent this year. What we put in the budget this year was a fixed dollar amount, we've done that occasionally.

**LEG. D'AMARO:**

Right, but the law currently requires it has to be at least three•eighths.

**MR. LIPP:**

Not for what we're talking about here. I think the misperception is ••

**LEG. D'AMARO:**

No?

**CHAIRMAN MONTANO:**

It's one•eighth.

**LEG. D'AMARO:**

Oh, is it one•eighth? I'm sorry. One•eighth, right, I'm sorry.

**MR. LIPP:**

The misperception I think is that public safety purposes does not equate to Police District use. We could give nothing to the Police District if that's what was as a policy decided and all public safety purposes, for instance, a full three•eighths if we wanted to, would be used for the General Fund possibly.

**LEG. D'AMARO:**

So what you're saying is in last year's operating budget, the flexibility that the process has to go below the quarter cent was actually implemented, was used.

**MR. LIPP:**

Yes. In fact, we could have opted to give the Police District zero dollars, if we so desired.

**LEG. D'AMARO:**

Okay. Well, we're not going to have that debate. All I'm saying, though, is

that we did go below the one-quarter percent that's being debated here.

**MS. VIZZINI:**

In 2006.

**LEG. D'AMARO:**

In 2006. So, in fact, we did as a budgeting tool use the flexibility that we have in the current law.

**MR. KOVESDY:**

Correct.

**LEG. D'AMARO:**

Okay, thank you.

**CHAIRMAN MONTANO:**

All right, I have a question. That fixed amount, was that fixed amount based on the arrangement that was made with the County Executive and Legislator Caracciolo? Is that why it was written in as a fixed amount?

**MR. LIPP:**

There's a disconnect there also. The amount that you're talking about that was the agreement with Legislator Caracciolo and the County Executive's Office was how much town revenue sharing to give to the town and village police departments, and that went up from approximately 3.1 million in 2005 to an additional one and a half million or 4.6 million. That had nothing to do with overall how much sales tax revenue, or maybe indirect at best, to give to the Police District, I believe it was just decided by the County Executive when they were putting the budget together how much they needed.

**CHAIRMAN MONTANO:**

Legislator Schneiderman, you have a question?

**LEG. SCHNEIDERMAN:**

No, it's more a clarification. There's really two separate issues here. One is how much of the sales tax will go to public safety, and then once that's

decided, how much of it will go into the Police District. If money goes into the Police District, then outside the Police District is compensated; determining how to fairly compensate that area was the subject of that other bill we debated this year. So they're really •• they're two interrelated, in a sense.

The agreement that was reached between Legislator Caracciolo and County Executive Levy was basically to increase the amount outside the district by a million and a half last year and then half a million dollars each year for the next several years. The potential issue that arose with that had to do with that flexibility. If the County Executive decides to put more public safety funds into the Police District, and right now I believe he can go another \$30 million, and outside the district only got an additional half million, if you based it on population they would get an additional three million. So if that happened, the actual inequity would become larger, even with the agreement that happened with the County Executive and Legislator Caracciolo. So that was the concern. I think I could have accepted the agreement if there was some language in there that would have said it would be adjusted if more money goes into the Police District and we never got to that point.

On the east end, this is a fundamental issue of inequities. They really would like some fair formula that can be mutually agreed upon to make sure that they're not getting taken advantage of; it's fairly simple.

**CHAIRMAN MONTANO:**

Legislator Alden.

**LEG. ALDEN:**

It might not be appropriate for today, but at some point over the next couple of months we actually have to get down and dig into this again. I would hope, though, that there's one element that we've been asking for, I've been asking for, and that's how much these other districts have supplemented or given in services from our Police District. Because the inequity might be that the western towns might be subsidizing the eastern towns in a disproportionate type of situation. Because now, you know, we've got helicopters, all kinds of things, who's using the helicopters, who's

using, you know, like police patrols. And the other element that should really be considered there, and I understand it happens a lot, the Sheriff's Office goes out on parade duty in the eastern towns. So when we're looking at all the costs involved here and how much of a subsidy and this, that and the other thing, then we really should have some numbers. And I understand that •• I think Budget Review told me that the last time that was done to any detail was 12, 15 years ago, something along those lines. So I would hope that, you know, I'm just using it as a suggestion, that ••

**LEG. SCHNEIDERMAN:**

Bring it on. Bring it on, I'm happy, audit it. Because ••

**LEG. ALDEN:**

Don't get confrontational, Jay, because this isn't confrontational.

**LEG. SCHNEIDERMAN:**

No, no, because the east end feels the same way, just that they may be overpaying because we are paying for those things now. We're paying for the gang unit, we're paying for the homicide unit, we're paying, you know, for the drug units, all of those things.

**LEG. ALDEN:**

No, I'm paying for them to be used out on the east end and my constituents. So that's a good debate, but I would like to see that study maybe updated a little bit or if we can get into that. I would hope that that would be available for us by the time we get into the budgets.

**LEG. SCHNEIDERMAN:**

No, but we are also paying, you know, to fix the patrol cars for the Police District, and I'm not sure quite how the east end ••

**LEG. ALDEN:**

Jay, I'm paying taxes to have guys out there on patrol for your parades. So let's, you know ••

**LEG. SCHNEIDERMAN:**

Okay. Then what ••

**LEG. ALDEN:**

Don't get confrontational now.

**CHAIRMAN MONTANO:**

All right, all right, let's get back ••

**LEG. SCHNEIDERMAN:**

All I'm saying is we don't have to fight this.

**LEG. ALDEN:**

Right.

**LEG. SCHNEIDERMAN:**

I'm welcoming the audit. Audit it, let's see; let's see if the things that are being built whole County are truly whole County.

**LEG. ALDEN:**

That's what I just said.

**LEG. SCHNEIDERMAN:**

Well, I agree.

**LEG. ALDEN:**

Thank you.

**CHAIRMAN MONTANO:**

Legislator Cooper is next and then Legislator D'Amaro.

**LEG. COOPER:**

Now that we agree that there should be this audit, I'd request that the audit be expanded to include things such as money spent for open space acquisition and farmland preservation which, once again, I think disproportionately taxpayers in western Suffolk County have been subsidizing purchases in eastern Suffolk County.

**LEG. LOSQUADRO:**

You want to open that door?

**LEG. COOPER:**

So if we really want to be fair about •• I'm saying if we want to open this door ••

**CHAIRMAN MONTANO:**

You've got to get on the list.

**LEG. COOPER:**

•• and it was Legislator Schneiderman who opened the door to this, then maybe it is time for us to take an overall look, overall look County•wide, all aspects of ••

**LEG. ALDEN:**

An interesting coalition.

**LEG. COOPER:**

•• of tax revenues generated in the five western towns versus the five eastern towns and expenditures in the five western towns and in the five eastern towns. Because I believe, I may be wrong but I believe that the residents in Eastern Suffolk County have made off like bandits over the years off the backs of the hard working taxpayers in western Suffolk. So I would like to put in a formal request for a full audit on all tax revenues and expenditures, while you're at it.

**CHAIRMAN MONTANO:**

I don't think this is the appropriate forum for that.

**LEG. VILORIA•FISHER:**

It's the Budget Committee.

**CHAIRMAN MONTANO:**

We have a list here. Did you want to respond first to that, Legislator ••

**LEG. SCHNEIDERMAN:**

I'm not sure if I can.

**CHAIRMAN MONTANO:**

Already. Having said that ••

**LEG. SCHNEIDERMAN:**

No, no, no, I have to say something.

**CHAIRMAN MONTANO:**

Be quick.

**LEG. SCHNEIDERMAN:**

You know, I think, you know, Jon I'm sure understands the difference between a tax district and something that's whole County. Open space comes from a whole County fund, it can be spent anywhere within the County and anyone from the County can use it, whether it's in Huntington or whether it's in Montauk those, County parklands.

What I'm specifically talking about is money that may be taken whole County and use it for a function that is not essentially available for everyone, whether it's a sewer district, a Police District, whatever it might be, it specifically pertains to a group of individuals once they're living within a taxable boundary. And there's fundamental difference there. So you're mixing apples and oranges, or maybe you're mixing apples and Chevrolets. I mean, it's such a huge difference that it's hard to respond to.

**CHAIRMAN MONTANO:**

All right. Legislator D'Amaro?

**LEG. D'AMARO:**

Just two things. I don't really think we should go deeper into the revenue sharing, but I do want to just say what's when it comes to revenue sharing, what's fair I don't think you know, I don't think anyone knows except the people who are making those decisions during the budget process. I don't think that basing it on population necessarily makes it fairer; I think it gets you more money but I'm not sure that it's more fair and I think those are two different issues.



On this bill with the motion to table subject to call, I would just say that I would rather see us have the flexibility to go from the one•eighth to the 1% as opposed to one•quarter, and I don't see any rational reason why if we have that authority now we need this legislation.

**LEG. SCHNEIDERMAN:**

My response would be vote it down, vote it down but don't table it subject to call. I'd rather either we continue this discussion or send a message to the sponsor, but tabling subject to call seems to me aggressive and I would rather it even just be tabled, we can continue the debate maybe when the sponsor is here or let's have a vote on it.

**CHAIRMAN MONTANO:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you, and I think we've gone pretty far afield of this legislation. But I will just say as Chairman of the Environment Committee for a couple of years and having very little property in my district that could have been preserved, I think Legislator Cooper knows better than to think that preserving land in one area doesn't benefit the County, Long Island as a whole. We are a heavily tourism•driven economy and people will not continue to come to the east end and continue to spend their money from outside of Suffolk County and generate the billion plus dollars in sales tax revenue that we get if we just continue to pave over the east end. So as I said, I'm sure you know better, it was pretty good rhetoric, but you know better.

**LEG. COOPER:**

Through the Chair?

**CHAIRMAN MONTANO:**

Legislator Cooper, do you want to respond?

**LEG. COOPER:**

We really don't want to go there because we can have a three hour discussion on this.

**CHAIRMAN MONTANO:**

Good.

**LEG. COOPER:**

But it wasn't rhetoric, this is something that I've long been concerned about. There's open space in my district that, yes, it's more expensive to buy land in my district, but there's a 21 acre parcel in Cold Spring Harbor that I'd love to purchase right now, but it's going to be tough because it's more expensive and the money is going to the east end. So if we knew that the same amount of money, let's say if X percent is generated by taxpayers in western Suffolk and we knew that X percent, that same percent would be spent in western Suffolk, I could buy an awful lot more land in my district and I don't have that much left. So but anyway ••

**CHAIRMAN MONTANO:**

All right.

**LEG. SCHNEIDERMAN:**

(Inaudible).

**CHAIRMAN MONTANO:**

No, I have a list here, Legislator Viloria•Fisher is next.

**LEG. SCHNEIDERMAN:**

Put me back on.

**LEG. VILORIA•FISHER:**

I believe that the discussion is really going way far afield.

**CHAIRMAN MONTANO:**

I would have to concur.

**LEG. VILORIA•FISHER:**

And I believe that we do not have Suffolk County and Peconic County. And when I first became a Legislator I attended the police academy, the civilian police and it wasn't until then that I realized how many different police

departments there were in Suffolk County and maybe it's time to revisit that whole concept and have one Police District for all of Suffolk County. At some point ••

**LEG. ALDEN:**

(Inaudible).

**LEG. VILORIA•FISHER:**

At some point, I know, Jay, you're saying it's never going to happen; well, if you want fairness and you want equity, then maybe we should think in terms of being one County and one Police District rather than playing this continual game of revenue sharing and fiefdoms, I think it would just be smoother.

**CHAIRMAN MONTANO:**

All right, Legislator Schneiderman, you're on list.

**LEG. COOPER:**

Good point.

**CHAIRMAN MONTANO:**

And we are far afield; could we kind of just wrap this up, please.

**LEG. SCHNEIDERMAN:**

Just two points responding back, last time hopefully, to Legislator Cooper. One is, you know, my recollection in almost every one of the east end preservation initiatives, although they've been expensive, the questions always come up about partnering with the towns, and almost every single time the towns have chipped in 50%. So you're getting a local commitment that we haven't seen in most of the others.

Secondly, I've supported everything, every preservation issue in Huntington, everywhere that I can think of in the County as long as it made sense. So, you know, I think we all have to have that perspective; as Vivian said, it's one County, let's do our best to preserve our open space.

**LEG. VILORIA • FISHER:**

I think we have to keep open space out of this discussion, it's going crazy.

**CHAIRMAN MONTANO:**

All right, Legislator Alden.

**LEG. ALDEN:**

But very quickly, Jon does have a point and I think that that's something that we as Legislators have to look at and maybe adjust what we're doing as far as buying open space. Maybe we should be thinking about, and I've said it a number of times over the past couple of years, maybe we should be creating open space in the west also so that all the County can actually benefit from the beauty and the open space, the clean air, the things of that nature. So I think that that's something that we have to look at, that ties in with the sewers, it ties in with the cluster type of zoning and that's something that is very appropriate for us to be looking at.

**CHAIRMAN MONTANO:**

Legislator Viloria • Fisher.

**LEG. VILORIA • FISHER:**

Just as a quick point of information. As chair of the Environment Committee, and I have several people here who are members of that committee, we are reclaiming some western parcels for open space. Yesterday we had two parcels in Melville, and so we are looking County wide.

**CHAIRMAN MONTANO:**

Everybody says that.

**LEG. VILORIA • FISHER:**

Okay. Well, that ••

**LEG. LOSQUADRO:**

I just have to make one quick comment, very quick.

**LEG. VILORIA • FISHER:**

Dan, you know that yesterday there was that piece that was a parking lot that now will be a park.

**LEG. LOSQUADRO:**

I was just going to say, we're going to tear down a parking lot and put up paradise.

**LEG. VILORIA • FISHER:**

And put up paradise; you stole my line there from yesterday.

**CHAIRMAN MONTANO:**

Okay. On that note ••

**LEG. VILORIA • FISHER:**

Unpaving the parking lot.

**CHAIRMAN MONTANO:**

On that note, I'm going to ask that we call •• we have a motion to table subject to call with a second. For the record, Legislator Cooper.

**LEG. COOPER:**

No, I was just going to say, for the record it was Vivian's line yesterday.

**LEG. LOSQUADRO:**

I wanted to make sure it got on the record here.

**LEG. VILORIA • FISHER:**

That's right.

**LEG. SCHNEIDERMAN:**

Can I ask Counsel which is controlling here, the motion to table subject to call or the motion to table?

**MR. NOLAN:**

Subject to call.

**LEG. COOPER:**

I was doing that as a courtesy to the sponsor, but I'll make a motion to approve for the purpose of defeating.

**LEG. SCHNEIDERMAN:**

But there's a motion to table.

**CHAIRMAN MONTANO:**

Wait a minute. I'm sorry, I missed that. We have a motion to table subject to call. Do we have any other motions?

**LEG. LOSQUADRO:**

Motion to table.

**LEG. COOPER:**

I withdraw my motion to table subject to call.

**CHAIRMAN MONTANO:**

And what are you going to substitute it with?

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**LEG. SCHNEIDERMAN:**

There's a motion to table.

**LEG. LOSQUADRO:**

And I'll second the motion to table.

**CHAIRMAN MONTANO:**

All right, so the motion to table takes precedence.

**LEG. VILORIA • FISHER:**

We can vote against it.

**LEG. COOPER:**

Okay, yeah, there we go.

**CHAIRMAN MONTANO:**

All right, all in favor of the motion? Any other motions?

All in favor of the motion to table?

**LEG. COOPER:**

No.

**LEG. VILORIA • FISHER:**

No.

**LEG. D'AMARO:**

No.

**CHAIRMAN MONTANO:**

No what?

**LEG. COOPER:**

No to table.

**LEG. SCHNEIDERMAN:**

So they've got to force a vote.

**LEG. COOPER:**

So we'll force a vote to approve so we can kill it like the Republicans wanted.

**LEG. LOSQUADRO:**

Motion to table fails. Call the vote.

**CHAIRMAN MONTANO:**

All right ••

**LEG. ALDEN:**

We'd rather see it voted on.

**CHAIRMAN MONTANO:**

Let's do this again. We have a motion to table. All in favor, raise your hand. Opposed? I'll abstain, ***motion fails (VOTE: 3•3•1•0 Opposed: Legislators Vilorio • Fisher, Cooper & D'Amaro • Abstention: Chairman Montano).***

Do we have any other motions?

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRMAN MONTANO:**

Okay. All in favor of the motion to approve, raise your hand. Opposed? Abstentions? I'll abstain.

**LEG. ALDEN:**

Abstain.

**CHAIRMAN MONTANO:**

Legislator Alden abstains. ***Motion to approve fails (VOTE: 2•3•2•0 In favor: Legislators Schneiderman & Losquadro • Abstention: Legislators Alden & Montano).*** That means that the bill is dead, am I correct? We can move on.

**LEG. ALDEN:**

Do you want to hear something weird? It's not.

**LEG. VILORIA • FISHER:**

It's not.

**LEG. ALDEN:**

It's not dead, it sits out there in ••



**LEG. VILORIA • FISHER:**

In limbo.

**CHAIRMAN MONTANO:**

Yeah, it's like subject to call.

**LEG. VILORIA • FISHER:**

In limbo, waiting for redemption.

**LEG. COOPER:**

So I got what I wanted in the first place.

**LEG. VILORIA • FISHER:**

Yes.

### **Introductory Resolutions**

**CHAIRMAN MONTANO:**

***IR 1498 • 06 • Amending the 2006 Operating Budget and transferring funds for the John T. Mather Memorial Hospital (Lindsay).*** Quick explanation on that?

**LEG. LOSQUADRO:**

I will make a motion to approve ••

**LEG. VILORIA • FISHER:**

I'll second it.

**LEG. LOSQUADRO:**

•• and also ask the Clerk to list me as a cosponsor.

**LEG. VILORIA • FISHER:**

And I'll second it.

**LEG. LOSQUADRO:**

I did speak to the Presiding Officer about this, if no one else knows about it.

**CHAIRMAN MONTANO:**

I don't know about your conversation, but go ahead.

**LEG. LOSQUADRO:**

This transfers money that was originally allocated for veterans emergency transportation to Mather Memorial Hospital under I believe a TNAF grant, or under a TNAF program to provide Health Work Training Initiative. Did you get that?

**CHAIRMAN MONTANO:**

No, I'm sorry, and I apologize to you, Legislator Losquadro, something came up. But essentially, is this Omnibus money?

**LEG. LOSQUADRO:**

Too bad, I explained it once.

**CHAIRMAN MONTANO:**

All right, well, I'll ask Counsel.

**LEG. LOSQUADRO:**

You have to vote on it now.

**CHAIRMAN MONTANO:**

I have a fallback position; we'll ask Counsel to explain the legal implications of this bill. I apologize.

**LEG. LOSQUADRO:**

It's all right.

**MR. NOLAN:**

Basically it's transferring \$10,000 to Mather Hospital for Nursing Assistant training. The offset, the \$10,000 offset comes from the Veterans Emergency Transportation Program.

**CHAIRMAN MONTANO:**

Was this in the Omnibus?

**MR. NOLAN:**

I don't know if it's Omnibus.

**CHAIRMAN MONTANO:**

No, it wasn't, right?

**LEG. VILORIA•FISHER:**

No, that's why he said it was transferred from the VET Program.

**MS. VIZZINI:**

I'm checking, but I actually think it was.

**CHAIRMAN MONTANO:**

It was what?

**MS. VIZZINI:**

In Omnibus.

**CHAIRMAN MONTANO:**

Okay.

**LEG. VILORIA•FISHER:**

Well, there was money from Mather ••

**LEG. LOSQUADRO:**

It was money that we put in for vets that the Presiding Officer, from what I understand, there were a couple of problems with that contract.

**CHAIRMAN MONTANO:**

Oh, okay.

**LEG. LOSQUADRO:**

And the Presiding Officer, instead of us not being able to use that money, through his existing labor ties, knows of the Health Worker Training Initiative that was going on at Mather Memorial Hospital which is actually in Legislator Viloria•Fisher's district, my district is a catchment area for that hospital. And this is a program, as I said, that was partially funded through

TNAF for this health care worker training initiative and this money will go to supplement that program.

**LEG. VILORIA • FISHER:**

Gail, there was money for Mather but it was a different program.

**CHAIRMAN MONTANO:**

Yeah, I just want to know ••

**LEG. VILORIA • FISHER:**

It was a different program at Mather that was in last year's Omnibus, I believe.

**LEG. LOSQUADRO:**

Something completely separate.

**LEG. VILORIA • FISHER:**

That's what I'm telling her, she said she thought she remembered Mather but it was a different program. Renee, can you put me as a cosponsor, please?

**MS. ORTIZ:**

Sure.

**CHAIRMAN MONTANO:**

You want to say something, Legislator Alden?

**LEG. ALDEN:**

Yeah, I just have a question about the offset. It was either 10 or 20, it was a number that I put in there for veteran transportation and this veterans group; is that what this offset is?

**MS. VIZZINI:**

The Legislature restored the Veterans Emergency Transportation line by \$25,000, so it was in Omnibus and we're using 10,000 of it.

**LEG. LOSQUADRO:**

(Inaudible).

**LEG. ALDEN:**

Didn't I use 10 ••

**LEG. VILORIA • FISHER:**

But Bill put money in, too.

**LEG. ALDEN:**

I know, I used part of this as an offset also. Okay, we'll find out in a little while then.

**CHAIRMAN MONTANO:**

All right, I have a motion to approve on the table with a second; I'll call the vote. All in favor? Opposed? Abstentions? Motion carries, ***approved*** (***VOTE: 7•0•0•0***).

***IR 1500•06 • Amending the 2006 Operating Budget and transferring funds for the Town of Babylon (Horsley).***

**LEG. COOPER:**

Motion to approve.

**LEG. D'AMARO:**

Second.

**LEG. SCHNEIDERMAN:**

Explanation.

**CHAIRMAN MONTANO:**

Okay, explanation.

**MR. NOLAN:**

This resolution amends the '06 Operating Budget, transfers \$10,612 to the Town of Babylon to fund the Youth Court, the offset comes from the Cedar Beach Youth Project.

**LEG. VILORIA • FISHER:**

That was Bishop.

**CHAIRMAN MONTANO:**

Cedar Beach, that's in Babylon?

**LEG. VILORIA • FISHER:**

Yeah.

**CHAIRMAN MONTANO:**

All right, and this was in the Omnibus and we're transferring the Omnibus money.

**MR. NOLAN:**

Yes.

**CHAIRMAN MONTANO:**

Okay.

**LEG. ALDEN:**

This was Bishop money?

**LEG. VILORIA • FISHER:**

Yeah.

**CHAIRMAN MONTANO:**

District money.

**LEG. D'AMARO:**

Yeah, I think this was being done at the request of the town.

**MR. ORTIZ:**

Legislator Montano, who was the second?

**CHAIRMAN MONTANO:**

Who second the motion on this one?

**LEG. D'AMARO:**

I did.

**CHAIRMAN MONTANO:**

Legislator D'Amaro. Okay, call for a vote. All in favor? Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0)***.

***1501•06 • Amending the 2006 Operating Budget and transferring funds for certain contracted agencies (Long Island Citizens for Community Values and Island Harvest) (Mystal).***

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

I'll second it.

**LEG. ALDEN:**

On the motion?

**CHAIRMAN MONTANO:**

On the motion.

**LEG. ALDEN:**

Was this Omnibus?

**LEG. LOSQUADRO:**

It's just a correction.

**MS. VIZZINI:**

Yes, wrong name.

**LEG. ALDEN:**

Thanks.

**CHAIRMAN MONTANO:**

Okay. All in favor? Opposed? Abstentions? Motion carries,  
***Approved (VOTE: 7•0•0•0).***

***1503•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors by: County Legislature (Control No. 750•2006)(County Executive).***

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

Second. All in •• can we put this on consent calendar?

**MR. NOLAN:**

You may.

**CHAIRMAN MONTANO:**

All right, so it's a motion to approve and place on the consent calendar. I need a second.

**LEG. LOSQUADRO:**

I'll second.

**CHAIRMAN MONTANO:**

Second by Legislator Losquadro. All in favor? Opposed? Abstention?  
***Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

All right, the next several resolutions are all the same, I'll read them:

***1504•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors by: County Legislature (Control No. 751•2006)(County Executive).*** Same motion, same second, same vote. ***Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***1506•06 • To readjust, compromise and grant refunds and***



***chargebacks on real property correction of errors/County Treasurer by: County Legislature #245(County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***1507•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors by: County Legislature (Control No. 752•2006)(County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***1508•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors/County Treasurer by: County Legislature #244 (County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***1509•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors by: County Legislature (Control No. 753•2006)(County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***Last one, 1510•06 • To readjust, compromise and grant refunds and chargebacks on real property correction of errors/County Treasurer by: County Legislature #246 (County Executive). Same motion, same second, same vote. Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

***Resolution 1515•06 • Amending the 2006 Operating Budget and transferring funds for the Village of Greenport and Vail•Leavitt Music Hall (Romaine).***

**LEG. SCHNEIDERMAN:**

Motion; it's Greenport.

**CHAIRMAN MONTANO:**

We have a motion to approve. Do we have a second?

**LEG. COOPER:**

Second.

**LEG. LOSQUADRO:**

Plenty of money.

**CHAIRMAN MONTANO:**

Second by Legislator Cooper. On the motion, let's hear from the County Exec's Office.

**MR. ZWIRN:**

The County Exec has serious reservations about this. This is \$10,000 being transferred to the Village of Greenport to do a census and the census is done by the Federal government every ten years. The purpose of this census will have no •• I mean, we're not really sure what the impact of this census is going to be because it's a village census ••

**LEG. VILORIA•FISHER:**

Can you put me on the list, please?

**CHAIRMAN MONTANO:**

Yeah, you're on the list, you're top of the list.

**MR. ZWIRN:**

•• you know, versus •• I mean, it will have no legal standing; the legal standing is with the United States Census Bureau when they do their census every ten years. So we're not sure that spending County funds to do a village census is a wise move.

**CHAIRMAN MONTANO:**

It doesn't sound like that to me. Where is this money coming from? This wasn't in the Omnibus, right?

**LEG. VILORIA•FISHER:**

Yes.

**MR. ZWIRN:**

It's coming from Family Service League.

**CHAIRMAN MONTANO:**

But it wasn't put in as an item; it's coming from the Family Service League.

**LEG. LOSQUADRO:**

No.

**MR. ZWIRN:**

Well, that's where the money is being transferred.

**CHAIRMAN MONTANO:**

Let me get the resolution.

**LEG. COOPER:**

Partially.

**LEG. VILORIA•FISHER:**

It's coming from Planning, Federation, Wading River Civic Association and Family Service League, and I had a question about ••

**CHAIRMAN MONTANO:**

Vivian, Legislator Fisher has the floor or the podium.

**LEG. VILORIA•FISHER:**

Okay, Gail, the \$5,000 to the Family Service League, was that from the Legislator Caracciolo's Omnibus?

**MS. VIZZINI:**

These monies are Omnibus monies, yes.

**LEG. VILORIA•FISHER:**

Okay. And with response to Mr. Zwirn's comments regarding the census in

the Village of Greenport, you may have read about this, this is •• the Mayor of Greenport felt, and does feel, that there is a tremendous impact to the services in Greenport and the management of that village inasmuch as there is •• there are a great number of people who were not captured in that census that was done by the Federal government. There have been many demographic changes and a tremendous impact on his ability to govern effectively when he doesn't really know what kind of numbers he's dealing with. It was a very, I believe, bold initiative on the part of the Mayor, I'm glad that we're able to give some help to that initiative. He has been really •• he has been really trying to really provide the kind of services for that village and affordable housing and other types of needs. So as long as it's from that Legislative District's Omnibus allocation, I don't really have any problem with this resolution.

**LEG. ALDEN:**

Call the vote.

**CHAIRMAN MONTANO:**

Do you want to •• any other comments?

**LEG. D'AMARO:**

I just had one.

**LEG. SCHNEIDERMAN:**

Can I ••

**CHAIRMAN MONTANO:**

All right, Legislator D'Amaro and then Legislator Schneiderman; he spoke up first.

**LEG. D'AMARO:**

Mr. Zwirn, how do we know that the 10,000 is earmarked for that purpose?

**MR. ZWIRN:**

It was in the backup to the resolution.

**LEG. D'AMARO:**

It's in the backup to the resolution? Because I don't have that.

**MR. ZWIRN:**

Yeah, we're concerned that this •• every village in Suffolk County, every town wants to redo a census.

**CHAIRMAN MONTANO:**

Yeah, I agree.

**LEG. D'AMARO:**

Well, also, it doesn't •• if you look at the last RESOLVED clause, which I guess ••

**LEG. LOSQUADRO:**

It's in the fifth WHEREAS.

**LEG. D'AMARO:**

Is it in there?

**MR. KOVESDY:**

I'll get you a copy.

**MR. NOLAN:**

It's in the first WHEREAS.

**LEG. D'AMARO:**

Oh, yes, thank you. The last RESOLVED clause •• all right, the last RESOLVED clause says that it will be used exclusively for Suffolk County societal benefit; are we taking the position now that the census is conducted by •• a census conducted by various villages are somehow benefitting Suffolk County?

**MR. ZWIRN:**

We're concerned about it because you have the ten towns and numerous villages across the County, we have a Federal Census, so we have •• if you get a conflicting census in all the villages and the towns, what do you have? You have one official census for the United States and for Suffolk County and

then you're going to have unofficial censuses in the villages and the towns, you know, it's just •• if we're going to find every one of them, it's •• we just think it's going to be a little chaotic.

**CHAIRMAN MONTANO:**

Legislator Schneiderman. I agree with you, I don't see how we can do just a mini•census because there may be an influx in population, but there may be a decrease somewhere else. I think we need to look at this over all.

I would not be opposed because I think in our Charter it says that every five years •• you know, I'd have to go back on this because we went through this during the redistricting •• every five years we can look at the population within Suffolk County in terms of the trends, but to do it on a small scale like this doesn't seem to me to be the best way. But at this point, Legislator Schneiderman has the floor and proceeding after that will be Legislator Losquadro and Legislator Alden.

**LEG. SCHNEIDERMAN:**

Yeah, a demographic look at a particular area like Greenport might actually provide us with information that could help the whole County. If the census is flawed, if it's undercounting a minority, if it's undercounting population and making us less eligible for Federal funds and State funds for Social Services, it's possible that this could benefit us by reclassifying some of these areas. And, you know, as of •• you know, I know yourself, Ben, as a former supervisor, myself as well and Mayor Cappell as a Mayor, you know, your primary role is public safety, and it's very hard to provide the right fire safety and ambulance if you don't know what your population is, who is living where and how many people are living in a house, where are they living. Census data is really absolutely critical to the proper gauging of your infrastructure to your population.

So I think if you look at this as a demographic study that's aiding a particular municipality and delivering public services and public safety services, then I think it makes a lot of sense to help out. And it may be a pilot program that has future use to other areas but, you know, I wouldn't assume that we're going to have to do this for everywhere; do it one place and then we can make that decision later on.

**MR. ZWIRN:**

Our concern, again, is everything •• I agree with everything that you said, but the fact is in the Village of Greenport, they don't have their own Police Department, it's provided by the Town of Southampton. I mean, just doing a mini•survey ••

**LEG. SCHNEIDERMAN:**

They have ambulance.

**MR. ZWIRN:**

If the Village of Greenport wants to go ahead and do their own survey, the County has no impact, but when you start using County taxpayer funds then it changes the equation. We were not opposed to them doing their own census for whatever reason they have, he is the Chief Executive Officer of his municipality and God bless him, but ••

**CHAIRMAN MONTANO:**

Who's doing the census; is it the town employees?

**MS. VIZZINI:**

The backup indicates that the cost of the project would be 30,000.

**CHAIRMAN MONTANO:**

I understand that, I see that, that's my next question. But the question on the table now is who is conducting this mini•census; is it town and village employees, is it an outside group?

**LEG. LOSQUADRO:**

Volunteers, unpaid staff.

**MR. KOVESDY:**

It says volunteers and college students

**MR. ZWIRN:**

It's in the backup, Allen tells me it's colleges students, a combination of volunteers.



**LEG. VILORIA • FISHER:**

It's a combination of volunteer, unpaid staff.

**MR. ZWIRN:**

It's not going to have any impact with the Federal government where resources are coming, I mean, because they use their basis on the official census they take every ten years.

**CHAIRMAN MONTANO:**

Within the census, there's certain data that •• if I may, as I understand it, within the Census there's certain data which is privileged, which is not to be disclosed. How do we have assurances that the guidelines that are used by the Federal government in terms of taking a census are the same guidelines that are going to be applied here? I mean, that's the question that I had.

The other question, Gail, was it says \$30,000 of which the County would be contributing ten; where is the other 20 coming from, is that from the village?

**MS. VIZZINI:**

It's not specific, it does reference a combination of volunteer, paid staff, university assistance and other consultants. Unfortunately, they haven't broken out a budget or anything like that where we could tell.

**CHAIRMAN MONTANO:**

Legislator Losquadro is on the list.

**LEG. LOSQUADRO:**

Thank you. I think what this comes down to is it is Omnibus money, this is an village that sees a tremendous influx of seasonal population. And from any chief administrator's point, you have to be able to plan for the worse and if they feel that they have •• do not have an accurate picture of what happens in their village during the peak season and they feel that they need to capture that information to be able to put in place the best management



practice, if the Legislator who represents that village as part of his district wants to put some money forward to aid in the process so that village can implement that best management practice, I don't see where the harm is. It's his discretion where he wants to spend that money and I think that there is a benefit to County residents, I know I go out to Greenport on a regular basis. If anybody wants to go out to {Harnick} Snack Bar, some of the best Greek food in the County, and get a lemonade. You know, I want to make sure that Greenport has adequate emergency services in place during the height of the summer season, and this may be a way that they're able to capture that information to know what the volume on their roads is going to be. I don't know how they're going to use the information, but if this is something that they feel they need to do and the Legislator from the district wants to help out with that, that's his prerogative.

**MR. ZWIRN:**

Our concern is that this ••

**CHAIRMAN MONTANO:**

If I may, Ben, let me just •• I'm not one to generally second • guess a Legislator with respect to an item in his or her district, but sometimes there are some issues that I think need further clarification. I'm going to make a motion to table. Do I have a second on the motion to table?

**LEG. D'AMARO:**

I'll second it.

**CHAIRMAN MONTANO:**

All right, we have a second. Any comments on the •• any further comments on this?

**LEG. ALDEN:**

On the motion.

**CHAIRMAN MONTANO:**

Go ahead, Legislator Alden.

**LEG. ALDEN:**

Actually, just real quickly, I agree with what Vivian Vilorio•Fisher said a little while ago as far as the justification for this resolution to pass. I agree with what Legislator Losquadro said and I said in addition, my thought process would be that this is a Legislative initiative, it could have been that he had in his mind, "Let's get an accurate count," and I'll tell you where that ties in with me later, but let's get an accurate count just in case of a hurricane hitting, let's know how many people actually are there. Preparations for emergencies, you have places in districts •• and for instance, I represented almost two•thirds of Brentwood at one time and I don't believe the census was correct when they went into Brentwood, and shame on us if we can't make the provisions to get those people evacuated or properly taken care of in an emergency situation like a hurricane or an attack or anything like that. So this fits in, this could fit in with any number of different legitimate government purposes. Plus, they're all bound by the Constitution as far as can they go out there and conduct this in an illegal manner? They might try but then that's going to be challenged and they're still bound by due process and all the rest of the Constitutional guarantees. So the main controlling factor here is this is a Legislative initiative of \$10,000, we knew about it basically when we crafted the budget last year, we knew this 10,000 was going to be spent.

**CHAIRMAN MONTANO:**

Well, we knew it was going to be spent, but ••

**LEG. ALDEN:**

We knew this 10,000 was going to be spent, absolutely, it was absolutely in the budget, this \$10,000; maybe not exact purpose that is being crafted right now.

**CHAIRMAN MONTANO:**

Not even close.

**MR. ZWIRN:**

Not even close.

**LEG. ALDEN:**

This was in the budget.

**MR. ZWIRN:**

It was a youth program and now you're doing a census.

**LEG. SCHNEIDERMAN:**

It's really planning money.

**CHAIRMAN MONTANO:**

All right, let's get some order. Who's on the list?

Legislator Cooper.

**LEG. COOPER:**

I just had a question for Counsel. George, can you just confirm whether or not this is a legitimate appropriation, a legal appropriation?

**MR. NOLAN:**

It's a policy decision for the Legislature. Certainly an argument can be made that there's a legitimate public purpose for this appropriation for this group, and so largely it's a policy decision, I don't think there's a legal problem with transferring money to Greenport for this purpose if you decided it's a legitimate policy.

**CHAIRMAN MONTANO:**

Do we have any other comments?

**LEG. SCHNEIDERMAN:**

Yeah.

**CHAIRMAN MONTANO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I mean, I think it's helpful to look at this as planning money for Greenport to help with developing plans. All of the east end communities don't have the information they need from the census because the census happens in April and we •• like in East Hampton where we have 20,000 people year•round,

we really never knew how many people we had in the summer, people guessed at 80,000, we never had a good number that was developed by, you know, a demographer or university. You know, the seasonal communities need that information for many of the purposes, evacuations, hurricanes, things like that. So I think this is comprehensive planning type of money, it's basically giving the town more information, the village in this case, so that it can make better decisions for citizens.

**MR. ZWIRN:**

Mr. Chairman?

**CHAIRMAN MONTANO:**

Ben, you have the floor.

**MR. ZWIRN:**

I'm just saying, all the arguments have been made, Legislator Alden and Legislator Schneiderman make my arguments. I mean, if you can do it for the Village of Greenport, why wouldn't you do it for the school districts, why wouldn't you do it for every village, every town? Let's ignore the U.S. Census and let's have a census, you know, every couple of months or whenever you want. Where does it end? I mean, who paid for the Town of East Hampton Census that you're talking about; did the County pay for that?

**CHAIRMAN MONTANO:**

What census is that?

**MR. ZWIRN:**

Legislator Schneiderman is indicating that the Town of East Hampton had a census done.

**LEG. SCHNEIDERMAN:**

No, we had •• you know, we supplemented the census in terms of some traffic data and things like that. We never had •• we used some LIPA figures for seasonal population, but we never had a real good count. And yes, could East Hampton use this? It probably could, so could probably Southampton, but it's really ••

**MR. ZWIRN:**

So we expect that we're going to have town and village resolutions for all this.

**LEG. SCHNEIDERMAN:**

I don't know that they're asking for it and, you know, it's supplemental to the census. I think it's important data, but I don't think there's been any request, the only one who's requesting it right now is Greenport. You know, \$10,000, it seems to me it's a small portion of what they're •• it's a third of what they're paying. If the other towns request it, I think we'll cross that bridge when we get there, but ••

**MR. ZWIRN:**

And school districts, every other municipal taxing jurisdiction would like to have the information.

**CHAIRMAN MONTANO:**

All right, Legislator D'Amaro?

**LEG. D'AMARO:**

I don't know, it seems to me that when we talk about funding things in a Legislator's district, it's usually to organizations that can't •• that are not a taxing jurisdiction on their own. And it seems to me that •• I agree with everything that's been said, that it's not a bad idea necessarily to have the census, but certainly the town could pay the extra \$10,000. Why are we getting involved in that? You know, I'd rather see that \$10,000 go to an organization that really needs the money.

**CHAIRMAN MONTANO:**

Yes, Legislator Cooper.

**LEG. ALDEN:**

We just voted for Babylon.

**LEG. COOPER:**

It's just that •• and I don't know if we want to go down •• that's a slippery

slope and I'm sure that if I took a good look at some of the appropriations that were made by my colleagues, member item grants, I'd feel that some of them were probably not worthy causes, but through Legislative courtesy we always defer to the local Legislator and his or her wisdom.

**CHAIRMAN MONTANO:**

That's not absolutely correct.

**LEG. COOPER:**

Well, I'm trying to ••

**LEG. D'AMARO:**

Well, I'm not questioning any of the others, I'm just talking about doing a census.

**LEG. COOPER:**

I realize that but, you know, I think there is some societal purpose that's served and this was the Legislator's Omnibus money. So, I mean, in deference to that, I think I'm going to support this.

**CHAIRMAN MONTANO:**

Okay, Legislator Losquadro followed by Legislator Fisher.

**LEG. LOSQUADRO:**

Thank you. I was just going to bring up the fact that just several resolutions ago we passed Legislator Horsley's bill IR 1500 which transferred money from the Cedar Beach Youth Project to the Town of Babylon for a Youth Court; they're a taxing district, but Legislator Horsley feels that's something that would benefit his district so we deferred to that.

And to answer Mr. Zwirn's comment where will it end; well, we have a finite amount of money that in our good judgment we are solicited by any number of worthy groups, and we all know this and we have to make decisions as to where we feel the finite amount of money that we have can be best spent. Well, if everyone comes to us with this, well, then it becomes our decision; do we choose to fund surveys all over our district and spend all of our money there, or do we continue to fund the good groups that continue to do

good work within our districts?

**LEG. D'AMARO:**

Right, but the money transferred to Babylon ••

**LEG. LOSQUADRO:**

That becomes •• excuse me. That becomes a policy decision that we have to make with the money that we get. This is •• this is a similar situation. Legislator Romaine has a finite amount of money, he feels that a small portion of that \$10,000 will well serve his district going into this program; I think the argument stops and ends there.

**LEG. D'AMARO:**

Right. Well, the Babylon resolution was for a Capital Project, this resolution is to pay one•third of the cost of a census. And as a policy ••

**LEG. LOSQUADRO:**

And it's still a taxing district.

**LEG. D'AMARO:**

Right, but as a policy decision, as you state, you know, are we then going to start funding a census throughout villages and towns? I mean, you know, you talk about a slippery slope, where does that end?

**LEG. LOSQUADRO:**

Well, I think if you •• if I may respond. There is no difference in a policy decision in terms of if it's for a census or if it's for a Capital Project, what's the difference, it's still a taxing district?

**LEG. D'AMARO:**

Well, there's a big difference because the Capital Project is going to be completed as construction, the census is something that's already done by the Federal government. So, you know, this is just duplicative in a sense.

**LEG. LOSQUADRO:**

Well, I think we've

**LEG. D'AMARO:**

I don't think a Capital Project is.

**LEG. LOSQUADRO:**

We've gone around and around with this argument that this is something that they feel they do not have a proper catchment of the data and I think it's exactly the same thing. If you're going to make the argument that other taxing districts should not be receiving funding for any purpose, then we shouldn't have passed that bill.

**LEG. D'AMARO:**

No, I'm not.

**CHAIRMAN MONTANO:**

I have a question.

**LEG. D'AMARO:**

All I'm saying is that I'm not disagreeing with you that they may need the census, all I'm saying is should we pay for it. I think it's different than funding a Capital Project.

**LEG. LOSQUADRO:**

No, it's not.

**CHAIRMAN MONTANO:**

All right, I have a question. Is the Village of Greenpoint (sic) saying that there is an undercount and, therefore, they need to recount, or are they saying that there's been a shift in demographics and they want to catch up with the shift in demographics?

**LEG. LOSQUADRO:**

Both.

**CHAIRMAN MONTANO:**

Because the census was done five years ago.

**LEG. LOSQUADRO:**



It's in the backup, they're saying both.

**CHAIRMAN MONTANO:**

Yeah, I saw the backup.

**MR. ZWIRN:**

The backup says rapid influx ••

**LEG. LOSQUADRO:**

(Inaudible).

**LEG. VILORIA•FISHER:**

Yes.

**CHAIRMAN MONTANO:**

I saw the backup. Legislator Viloría•Fisher had a comment, but I think Ben had asked to weigh in first.

**MR. ZWIRN:**

There's been a lot of talk about how this is going to help the emergency services; if this were so important for emergency services, most of them are provided by the Town of Southold and you'd think that you'd go to the larger municipality, which the Village of Greenport is a part of, to get some support from the Town of Southold. If they were concerned about emergency services and about providing services to the Village of Greenport, the Town of Southold would probably be interested as well, and they don't seem to be participating in this.

I know the Village of Greenport gave up its police department some years ago and it now is protected by the Town of Southold Town Police. I just •• the County Executive's Office just thinks that this is just a slippery slope that just knows no end and this •• when we look at Omnibus money, and it is Omnibus money that the Legislature divvies up, it's also taxpayer money, so the County Executive looks at it, you know, on a broader scale with deference to all Legislators.

**LEG. COOPER:**

Through the Chair; can we call the vote on this? Oh, I'm sorry.

**CHAIRMAN MONTANO:**

Yes, I'm willing to call the vote. Legislator Fisher, do you want to make a comment or yield the floor?

**LEG. VILORIA • FISHER:**

No, I'm just going to make this comment ••

**CHAIRMAN MONTANO:**

Go ahead.

**LEG. VILORIA • FISHER:**

•• because I have been aware of this project since before it was announced by Mayor Cappell and Mayor Cappell set on •• I got to know him on the Affordable Housing Commission and he was not the only person who spoke with me regarding this project, Sister Margaret Smythe had spoken with me about the real need to do a true count in the Village of Greenport. It really is impacted, as it says in the backup. Just as there was a need in the Town of Babylon for a Youth Court, and that doesn't serve all of Suffolk County, it serves the youths of Babylon or the young people •• I sound like My Cousin Vinny •• the young people of Babylon. We need to see the greater good, we've spoken all •• through most of this meeting about balkanization and we don't want to balkanize our County, we want to look at those needs in different municipalities serving the greater good. And Greenport really is a microcosm of what's happening throughout Suffolk County regarding affordable housing and services to people who are not counted who might be marginalized.

I encourage everyone to support this. As I said, it wasn't just the Mayor, I have never spoken about this with Legislator Romaine, but it wasn't just Mayor Cappell, but sister Margaret Smythe and other advocates who spoke with me about this and the great need there is for it. So I don't think that we should discount this as any kind of slippery slope; we're policy makers, let's vote on policy and our own good judgment.

**CHAIRMAN MONTANO:**

Okay. What I want to do is I'm going to withdraw the motion to table, it's obvious my colleagues want to pass this. I'm going to call for a vote on the motion to approve. Do we have a motion to approve?

**LEG. SCHNEIDERMAN:**

Motion.

**LEG. COOPER:**

Second.

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN MONTANO:**

All in favor? Opposed? I'm opposed to it. Any abstentions?  
Okay, motion carries.

**LEG. D'AMARO:**

No, I abstain, I'm sorry.

**CHAIRMAN MONTANO:**

One abstention, one opposition. ***Approved (VOTE: 5•1•1•0 Opposed: Legislator Montano • Abstention: Legislator D'Amaro).***

***1518•06 • Amending the 2006 Operating Budget and transferring funds for Pronto of Long Island, Inc. (Alden).*** Do I have a motion?

**LEG. COOPER:**

Motion to table subject to call; no, just joking.

**LEG. ALDEN:**

I'll make a motion to approve.

**CHAIRMAN MONTANO:**

I'll second that. Any discussion on this motion? All in favor? Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0).***

**LEG. ALDEN:**

Thank you.

***1519•06 • Amending the 2006 Operating Budget and transferring funds to Sustainable Long Island (Caracappa).***

**LEG. LOSQUADRO:**

Motion.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Okay, quick question; was this Omnibus also?

**MR. NOLAN:**

Yes.

**CHAIRMAN MONTANO:**

Okay. No discussion. All in favor? Opposed? Abstention?

Motion carries, ***approved (VOTE: 7•0•0•0).***

***1523•06 •• you know what? I got a request •• well, let me read it •• Amending the 2006 Operating Budget and transferring funds to Pederson•Krag Mental Health Clinic (Mystal).***

**LEG. D'AMARO:**

I'll make a motion to table.

**CHAIRMAN MONTANO:**

Well, hold on. I got a •• I received a request from Anita, the Executive Director, she's on her way, wants to know if we can skip that until she gets here. I had spoken with the sponsor and the sponsor had asked me to table this, but in deference •• she's here?

**MS. FLEISHMAN:**

She's here.

**CHAIRMAN MONTANO:**

Oh, come on up. Do you want to very, very briefly, I know that you came a long way. I was asked by the sponsor to table this resolution; I don't know if you were aware of that.

**MS. FLEISHMAN:**

No, I was not.

**CHAIRMAN MONTANO:**

Okay. And the reason is it has to do with the offset.

**LEG. COOPER:**

Yeah, Anita, we're trying to find another offset for it.

**MS. FLEISHMAN:**

Oh, okay.

**CHAIRMAN MONTANO:**

That's what we're looking to do. So if you have anything to add, please do so quickly.

**MS. FLEISHMAN:**

We need the money.

**CHAIRMAN MONTANO:**

No, I understand that. It's not an issue of the money, it's an issue of where the money comes from.

**MS. FLEISHMAN:**

Okay. Is there anything that I can do or anyone can do to ••

**CHAIRMAN MONTANO:**

At the moment, no.

**MS. FLEISHMAN:**

No?

**CHAIRMAN MONTANO:**

No, it's a budgetary matter.

**MS. FLEISHMAN:**

So could you just briefly then tell me what the procedure would be? It's going to be tabled until it's offset; when will it come back?

**CHAIRMAN MONTANO:**

It will come back before this committee ••

**LEG. VILORIA • FISHER:**

Two weeks.

**CHAIRMAN MONTANO:**

•• I think in two weeks and then it will •• once the offset is resolved it should pass and then it will come to a vote on June 27th •• 20th. No, no, I'm talking about the Legislature, 27th. So it will be before this committee •  
• no, hold on, we have actually •• yes, on June 20th we're going to have a joint meeting with Ways & Means, let me announce that now; Budget & Finance and Ways & Means will be a joint committee, it will start at 9 AM and the agenda will be reviewed, revised and  
Dr. Irwin Kellner, Chief Economist for North Fork Bank, will make a presentation. So it will be taken up at that meeting, June 20th, starting at nine o'clock. Now, it probably won't get taken up until about 10:30 or so. But I don't know that you need to be here, I think you need to speak to the sponsor and it should move along smoothly, or if not, Legislator D'Amaro, I think you're a cosponsor?

**LEG. D'AMARO:**

No, not on this.

**CHAIRMAN MONTANO:**

Okay.

**MS. FLEISHMAN:**

No, Jon Cooper is the cosponsor.

**LEG. COOPER:**

Anita, there's clear understanding that this is a valuable program, it's all about finding an appropriate offset, and unfortunately the one that was selected, that was recommended by BRO really was not appropriate, so we're trying to find a more appropriate offset.

**MS. FLEISHMAN:**

Okay. Thank you very much.

**CHAIRMAN MONTANO:**

Would you state your name for the record, please?

**MS. FLEISHMAN:**

Sure, Anita Fleishman.

**CHAIRMAN MONTANO:**

And your position?

**MS. FLEISHMAN:**

Executive Director of the Pederson•Krag Center, and speed driver.

**CHAIRMAN MONTANO:**

Okay.

**LEG. VILORIA•FISHER:**

Uh•oh.

**CHAIRMAN MONTANO:**

We have a motion by Legislator D'Amaro to table this, I will second it. Any discussion? All in favor? Motion is tabled but you understand the reasons.

**MS. FLEISHMAN:**

Yes, thank you very much.

**CHAIRMAN MONTANO:**

Opposition? No abstentions? No opposition. ***Tabled (VOTE: 7•0•0•0).***

***1531•06 • Amending the 2006 Operating Budget and transferring funds for the Greater Sayville Food Pantry and Islip's Children's Endowment Fund (Alden).***

**LEG. ALDEN:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN MONTANO:**

Again, this is Omnibus money; right, Cameron? Legislator Alden, this was Omnibus money?

**LEG. ALDEN:**

Yes, it was.

**CHAIRMAN MONTANO:**

Okay. Any discussion?

**MR. ORTIZ:**

The second was?

**CHAIRMAN MONTANO:**

The second was Legislator Losquadro. All in favor? Opposed? Abstentions? Motion carries. Legislator Cooper, we're going to have you on this motion, right? Motion to approve. Make sure he's on it. ***Approved (VOTE: 7•0•0•0).***

***1544•06 • Amending the 2006 Operating Budget and appropriating funds in connection with the Babylon Citizens Council on the Arts (Horsley).*** Again, same question, Omnibus money?

**LEG. VILORIA•FISHER:**

Yeah, it was just a change in name.



**CHAIRMAN MONTANO:**

Okay. Do I hear a motion?

**LEG. VILORIA•FISHER:**

Motion to approve.

**CHAIRMAN MONTANO:**

Do I hear a second?

**LEG. ALDEN:**

Second for Horsley.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstentions? Motion carries.

***Approved (VOTE: 7•0•0•0).***

***1563•06 • To readjust, compromise and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #247 (County Executive).*** Motion •• I'll make a motion to approve.

Do I hear a second?

**LEG. D'AMARO:**

Consent calendar.

**CHAIRMAN MONTANO:**

And also the motion will be to put this on the consent calendar.

**LEG. ALDEN:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Alden. All in favor? Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0).***

***1585•06 • Amending the 2006 Operating Budget and transferring funds to various agencies (Stern).***

**LEG. VILORIA • FISHER:**

Wow.

**CHAIRMAN MONTANO:**

Wow what?

**LEG. VILORIA • FISHER:**

This is a big list.

**CHAIRMAN MONTANO:**

Omnibus monies?

**MS. VIZZINI:**

That's correct.

**CHAIRMAN MONTANO:**

All of it is Omnibus?

**MS. VIZZINI:**

Yes.

**CHAIRMAN MONTANO:**

Okay. Do I hear a motion?

**LEG. D'AMARO:**

Move to approve.

**CHAIRMAN MONTANO:**

Second? I need a second.

**LEG. VILORIA • FISHER:**

Second.

**CHAIRMAN MONTANO:**

All right, all in favor? Any questions?

**LEG. SCHNEIDERMAN:**

Give us a second to look at the list.

**CHAIRMAN MONTANO:**

Why, it's a member item; we don't look at the list, we just approve it.

**LEG. SCHNEIDERMAN:**

We want to make sure there's no taxable district.

**CHAIRMAN MONTANO:**

Okay. Do we have a census? Let me get the bill.

**LEG. ALDEN:**

On the motion?

**CHAIRMAN MONTANO:**

On the motion, Legislator Alden.

**LEG. ALDEN:**

I notice that a large portion of the money comes from one group; does that put them out of business basically?

**CHAIRMAN MONTANO:**

I don't know, who's the group?

**LEG. VILORIA•FISHER:**

Long Island Educational Resources.

**CHAIRMAN MONTANO:**

I don't know who they are.

**LEG. COOPER:**

Trust me, you do not want to go down this road.

**CHAIRMAN MONTANO:**

Does the County Exec's Office want to weigh in?

**MR. ZWIRN:**

Only in the sense that they were Legislator Binder's, I think some of these were his and Legislator Stern has seen fit to move the money somewhere else.

**LEG. LOSQUADRO:**

That's all.

**CHAIRMAN MONTANO:**

Okay.

**LEG. ALDEN:**

Right, but my question is does this put that group out of business?

**MR. ZWIRN:**

I don't think it •• I don't think the County's portion was what put that •• kept them in business.

**CHAIRMAN MONTANO:**

You sure about that?

**LEG. ALDEN:**

Well, \$97,000, if they thought that that was coming ••

**LEG. SCHNEIDERMAN:**

They may have spent it already, actually, because these are reimbursable monies, they may have been spent and awaiting reimbursement.

**MR. KOVESDY:**

No.

**LEG. ALDEN:**

You can cause some major pain. So if somebody could tell me, you know, how this doesn't cause some major pain.

**CHAIRMAN MONTANO:**

Well, let me ask a question. Long Island Educational Resources, does anybody know anything about them; are they a not•for•profit or for•profit group?

**LEG. SCHNEIDERMAN:**

It would have to be not•for•profit.

**CHAIRMAN MONTANO:**

Well, that's why I'm asking.

**MR. KOVESDY:**

It's a not•for•profit youth program.

**CHAIRMAN MONTANO:**

Okay. Well, the motion is before us. Any further discussion?

**LEG. SCHNEIDERMAN:**

On the motion.

**CHAIRMAN MONTANO:**

On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Am I correct in saying that these were reimbursable funds? So the groups spend it and then they submit their receipts to get paid back, right?

**MR. KOVESDY:**

They had a contract in 2005 that was funded ••

**MS. MAHONEY:**

You have to use the microphone.

**MR. KOVESDY:**

There was a contract in 2005 that was funded and they were paid for, there's no contract at this time in 2006, so there should be no services at

this time without a contract.

**CHAIRMAN MONTANO:**

Do you know if they have other services or other contracts other than the County money?

**MR. KOVESDY:**

I'm not aware, I think it's an offshoot of a religious organization.

**CHAIRMAN MONTANO:**

All right.

**LEG. ALDEN:**

Can I request ••

**CHAIRMAN MONTANO:**

Any further comments or any Legislators want to weigh in?  
Legislator Alden?

**LEG. ALDEN:**

I have a request for a one minute recess so I can confer with Legislator Cooper.

**CHAIRMAN MONTANO:**

Okay, you want me to skip over this?

**LEG. ALDEN:**

Yeah, either that or give me a minute to just talk to him.

**CHAIRMAN MONTANO:**

All right, I'll give you a minute, let's take a minute. One minute recess, that means five minutes.

**(\*Brief Recess Taken: 11:10 a.m. • 11:13 a.m.\*)**

**CHAIRMAN MONTANO:**

Is everybody on board? We have Legislator Losquadro that we're waiting

for. Okay, we're back on the record, reconvened and we were on Resolution 1585; anybody want to comment on this?

**LEG. VILORIA • FISHER:**

No, we're set to vote. We have a motion and a second.

**CHAIRMAN MONTANO:**

We have a motion to approve and a second.

**LEG. SCHNEIDERMAN:**

I'd like to comment.

**CHAIRMAN MONTANO:**

Okay.

**LEG. SCHNEIDERMAN:**

All of us, when we got elected, inherited whoever preceded us their member items; you know, I inherited George Guldi's and I accepted them and I waited until the next year to submit my own list, I didn't try to take away any of that money. I don't •• I'm not particularly fond of this practice. These groups, I'd like to have more information, I'd like to hear from this group.

**LEG. COOPER:**

You should have come out during the recess.

**LEG. SCHNEIDERMAN:**

Well, maybe you have things to share with me, maybe you should have invited me in to that. We can recess again or if you can say it on the record.

**CHAIRMAN MONTANO:**

No, just put it on the record. Is there any •• you have a question?

**LEG. SCHNEIDERMAN:**

I'm just concerned about pulling \$97,000 from an organization that I'm not sure what they do or what money they've laid out in anticipation of these funds. You're putting me in an awkward situation. Jon is coming over to

Speak with me.

**CHAIRMAN MONTANO:**

Well, I'm sure Legislator Stern knows who they are, so.

**LEG. ALDEN:**

Mr. Chairman?

**CHAIRMAN MONTANO:**

Legislator Alden.

**LEG. ALDEN:**

Just for Budget Review, this is absolutely Omnibus money?

**MS. VIZZINI:**

Yes.

**LEG. ALDEN:**

Okay. And the groups seem to be groups that we have given money to in the past, there shouldn't be a big problem with them complying with rules and regulations?

**MS. VIZZINI:**

Some of them are new, but generally speaking, little leagues; we seem to have put them in departments that will administer the contracts well.

**LEG. ALDEN:**

Thank you.

**LEG. LOSQUADRO:**

If I may?

**CHAIRMAN MONTANO:**

You know, Legislator •• let me take a prerogative of the Chair, Legislator Schneiderman. If the association has a problem with the •• what was that, there is no prerogative?



**LEG. LOSQUADRO:**

No, you called me Legislator Schneiderman.

**CHAIRMAN MONTANO:**

No, no, I did not call you •• I'm referring to Legislator Schneiderman; I know you're on the list. But all I'm going to say is if the agency has a problem, let the agency take that up with Legislator Stern because it's his district. Legislator Losquadro, you want to comment?

**LEG. LOSQUADRO:**

Yes, and I would just say to take back to Legislator Stern, to follow•up on what Legislator Alden said, you know, just to make sure that each of these groups are 501(C)3 not•for•profits, to make sure that they're eligible for all of their funding. And I hope Jay and Jon finish up with their conversation soon.

**CHAIRMAN MONTANO:**

If they're not 501(C)3's they're not going to get a contract, so it's irrelevant.

**LEG. LOSQUADRO:**

I'm trying to kill time.

**CHAIRMAN MONTANO:**

Oh, okay. I'm sorry.

**LEG. LOSQUADRO:**

Is that on the record?

**CHAIRMAN MONTANO:**

We have seven minutes before this meeting should be over.

**LEG. VILORIA•FISHER:**

Why don't we take a vote?

**CHAIRMAN MONTANO:**

Why don't we take a vote. All in favor? Opposed? Abstentions? Legislator Schneiderman?

**LEG. SCHNEIDERMAN:**

I'll abstain just for lack of information.

**CHAIRMAN MONTANO:**

One abstention. Motion carries, ***approved (VOTE: 6•0•1•0 Abstention: Legislator Schneiderman).***

***1587•06 • Amending the 2006 Capital Budget and Program, amending the 2006 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund and appropriating funds in connection with planning for improvements to Sewer District No. 6 • Kings Park (CP 8144)(Nowick).*** I'm going to ask for an explanation.

**LEG. VILORIA•FISHER:**

Yeah, this is a lot of money.

**CHAIRMAN MONTANO:**

Who wants to volunteer?

**LEG. KENNEDY:**

Mr. Chair, I am here ••

**CHAIRMAN MONTANO:**

I want to recognize Legislator Kennedy.

**LEG. KENNEDY:**

Thank you very much. I am here as a co chair •• cosponsor on this resolution and I would be happy to go ahead and supplement.

The purpose of this resolution and its genesis comes out of an initiative from the beginning of the year with the Smithtown Chamber of Commerce and work with DPW as well as Economic Development with

Mr. Morgo. It is to formerly fund studying the expansion of Kings Park Sewer District No. 6 for the purposes of downtown sewerage for Smithtown and for Kings Park. The ability to go ahead and undertake downtown expansion or rededification, if you will, is predicated on connectivity, sewer connectivity as we all know. There has been a request to move in this direction for the flexibility that this would provide for street level, commercial redevelopment, but more importantly in my belief the ability to do second-story, accessory and/or affordable housing.

On the 20 months that I have sat around this horseshoe, many, many, many times I have heard about the comments, the lack of affordable housing initiatives in the Town of Smithtown. So I am pleased and hopeful that my colleagues will see the merits in this and be able to go ahead and support it so that a formal study can go forward.

**CHAIRMAN MONTANO:**

I honestly don't know enough about that. Is there any other Legislator that wants to weigh in on this?

**LEG. ALDEN:**

I do.

**CHAIRMAN MONTANO:**

Legislator Alden, I'm sorry, you did ask me.

**LEG. VILORIA•FISHER:**

I have a question also.

**CHAIRMAN MONTANO:**

And then Legislator Viloria•Fisher.

**LEG. ALDEN:**

I have a question of Budget Review. In the Sewer Stabilization Fund, and that's where this money would come from, is there an appropriate amount of money to take to do this?

**MS. VIZZINI:**

Yes, there's a fund balance of \$42 million, this takes \$300,000.

**CHAIRMAN MONTANO:**

And this comes from the fund balance.

**LEG. ALDEN:**

And as I recollect, when I crafted the legislation that would provide for this, this was one of the things that we had actually discussed at length in the Legislature, the possibility of extending sewer districts to provide for the cluster•type of zoning, the cluster•type of development that will lead to an economic life of the future for Suffolk County.

My other question is, though, does this have to go through the Sewer Agency? Because I don't remember seeing it discussed in their minutes. I know all projects have to go, you know, for approval to them. Would the process be we approve it here and then it would have to go to them and then they would be funded for it, or does it have to go before them first?

**MS. VIZZINI:**

Well, typically you provide the funding. The •• anything further that happens has to go through the Sewer District Advisory.

**LEG. ALDEN:**

Right now we'd be appropriating •• this is appropriating a couple of hundred thousand dollars to do this or start this study and my recollection is that usually it has to come as an approved project.

**LEG. KENNEDY:**

If I can just weigh ••

**CHAIRMAN MONTANO:**

Legislator Kennedy.

**LEG. KENNEDY:**

Yes, I appreciate the questions from Legislator Alden, if I can just add to the dialogue. This resolution was crafted in direct concert with DPW and in particular Mr. Wright, with Ben Wright. He has gone out and he has done

presentations both to the Kings Park Chamber as well as to the Smithtown Chamber and when, you know, I posed the query what's the dollar amount necessary to move from the concept to some actual formalized schedule of cost and construction, this is the number that was brought forth. And as a matter of fact, we amended the methodology for funding from an original bonding structure to the stabilization offset at the request of the departments.

**LEG. ALDEN:**

No, I think it's appropriate, I just want to follow procedure. If the procedure is set up where we go to the agency first •• you know, but I think this is totally appropriate and I support it wholeheartedly. And you know what? I'll make a •• if we don't have the answer right now, then I would make the •• oh, maybe George does.

**MR. NOLAN:**

Yeah, I don't know if it traditionally goes before the Sewer Agency first before coming here, I don't think there's a legal requirement that it has to be that way. I think we could appropriate the money and then the sewer district and the agency act later; I think that would be okay.

**LEG. ALDEN:**

Okay.

**LEG. COOPER:**

Through the Chair?

**CHAIRMAN MONTANO:**

Legislator Cooper.

**LEG. COOPER:**

If we approve this and then for some reason the Sewer Agency turns down the project, doesn't recommend it, then what happens?

**MR. NOLAN:**

Then we won't move ahead and the bond will lapse, I guess, at some point.

**MS. VIZZINI:**

Or you could rescind it.

**LEG. VILORIA • FISHER:**

Through the Chair, I have a question for Legislator Kennedy.

**CHAIRMAN MONTANO:**

Yes, one thing. You said we can rescind it, but if the Sewer Agency don't approve it the bond can't go forward; is that what we're saying?

**LEG. VILORIA • FISHER:**

Right.

**LEG. ALDEN:**

It's not a bond, right?

**LEG. VILORIA • FISHER:**

No.

**MS. VIZZINI:**

Well, this would be cash from Assessment Stabilization Reserve.  
As a matter of fact, if it wasn't approved ••

**CHAIRMAN MONTANO:**

By the Sewer Agency.

**MS. VIZZINI:**

Yeah, the budget could probably •• they wouldn't transfer the money to Kings Park.

**CHAIRMAN MONTANO:**

Right, that's my point. Legislator •• who wanted?

**LEG. VILORIA • FISHER:**

Yes.

**CHAIRMAN MONTANO:**

Cooper? Viloría•Fisher.

**LEG. VILORIA•FISHER:**

Through the Chair, I just had a question for the sponsor. I was looking at an article this morning regarding Kings Park and the sand pit off Lawrence Avenue I believe it is.

**LEG. KENNEDY:**

Uh•huh.

**LEG. VILORIA•FISHER:**

And there's a proposal for a large development there. Is there any linkage between the expansion of the Sewer District and either that project or the Kings Park Psychiatric property projects?

**LEG. KENNEDY:**

The modeling that I have seen at this point speaks only to estimated connections and flow, gallonage associated with connectivity down both main streets. In Smithtown, the sewer main is actually as far south as St. Catherine's and the Lutheran Nursing Center, so it would only require about another mile or so, mile and a half extension.

In Kings Park there currently is main extension through to a condominium complex south of Main Street. However, at this point, I'm unaware of any requests for connection from any particular private projects. As I understand it, the existing capacity at the plant is maxed, there is no •• it is currently operating at 600,000 gallons per day and all of that capacity is utilized at this point. The purpose of the study would be to propose expansion to, in essence, double that for flow generated from connection from both of the main streets.

**LEG. VILORIA•FISHER:**

Okay. And the amount that we're looking at with this resolution is 300,000, but the total cost of the project would be 600,000; is that correct?

**LEG. KENNEDY:**

No, that's not what I •• that's not my ••

**LEG. VILORIA•FISHER:**

Because I'm looking at the resolution, it says, "Cost elements, planning design, total estimated cost 600,000," and then it says, "Revised 2006 Capital Budget and Program, 300,000," so we're not doing the full project, Gail, is that what that means? I'm looking at the legislation, 1587.

**LEG. KENNEDY:**

I need to defer to BRO, I don't have that in front of me. But our original estimate as far as planning, for planning purposes only I believe was 300,000.

**MR. REINHEIMER:**

That's correct.

**MS. VIZZINI:**

This is just for the planning.

**LEG. VILORIA•FISHER:**

Okay. And what is the total cost, is it 660,000 or is it \$15,347,857; what is that number?

**(\*Legislator Horsley entered the meeting at 11:25 A.M.\*)**

**MR. REINHEIMER:**

She's looking at a previous project.

**MS. VIZZINI:**

That's the total from prior •• it includes prior appropriations.

**LEG. KENNEDY:**

Again, if I can ••

**LEG. VILORIA•FISHER:**

Oh, using that sewer reserve money?



**MS. VIZZINI:**

No, that would probably have been a combination of Sewer District Bonds or possibly Assessment Stabilization Reserve; there's not enough information from the resolution to tell.

**LEG. VILORIA • FISHER:**

Okay, then I don't feel so bad because I really couldn't tell what that number meant. But what you're saying is that it's possibly the number that has been used up to this point in that sewer district?

**MS. VIZZINI:**

In the recent past, yes.

**LEG. VILORIA • FISHER:**

Right, okay.

**LEG. KENNEDY:**

Thank you. And again, if I can just go ahead and add to the discussion a little bit more. There is currently a Capital Project associated with upgrades for existing capacity at the plant in order to conform with the 208 and sound study requirements to diminish the nitrate outflow. So some of what you're looking at there may be existing expenditures just associated with upgrading existing capacity.

**LEG. VILORIA • FISHER:**

Okay. Thank you, Legislator Kennedy.

**LEG. KENNEDY:**

Thank you.

**CHAIRMAN MONTANO:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0)***.

**LEG. KENNEDY:**

Thank you.

**CHAIRMAN MONTANO:**

You're welcome.

***1594•07 • Transferring contingent funding for various contract agencies (Phase II) (Presiding Officer Lindsay).***

**LEG. COOPER:**

Motion to approve.

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN MONTANO:**

Any discussion?

**LEG. VILORIA•FISHER:**

Nope.

**MR. KOVESDY:**

We would appreciate if we could get a list of the eleven add•ons and what appropriations they're in, because we have to do the math and put them in the right •• and fund them. We don't know which of this four page list is new and which is old.

**MS. VIZZINI:**

There's been an amended copy filed.

**MR. KOVESDY:**

Could we get it?

**MS. VIZZINI:**

Sure.

**MR. KOVESDY:**

Thank you.

**LEG. VILORIA•FISHER:**

You're all so cheerful.

**CHAIRMAN MONTANO:**

Was it filed at 4:59 yesterday?

**MS. VIZZINI:**

No.

**CHAIRMAN MONTANO:**

All right. Any other discussion? That satisfies you?

**MR. KOVESDY:**

If we get the list, yeah; otherwise we can't fund it.

**CHAIRMAN MONTANO:**

All right. All in favor? Opposed? Abstentions? Motion carries,  
***Approved (VOTE: 7•0•0•0).***

***1595 ••***

**LEG. VILORIA•FISHER:**

What is COFA?

**CHAIRMAN MONTANO:**

COFA is a Haitian organization. This is a name change, let me read the ••  
it's ***1595•06 • Amending the 2006 Operating Budget and  
transferring funds for COFA and St. Martin of Tours Knights of  
Columbus (Montano).*** COFA is an association involved in the Haitian  
community and this is simply transferring the name, correcting the name;  
am I correct on that, Gail?

**MR. KOVESDY:**

Yep.

**MS. VIZZINI:**

Yes.

**CHAIRMAN MONTANO:**

This was in Omnibus.

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

I'll make the motion to approve; do I hear a second?

**LEG. COOPER:**

Second.

**LEG. ALDEN:**

These are St. Martin Tours and Knights of Columbus, they're not descendants of the Knights Templars, are they?

**CHAIRMAN MONTANO:**

Them I don't know. All right, all in favor? Opposed? Abstentions? Motion carries. ***Approved (VOTE: 7•0•0•0).***

The next one is ***1646•06 • Adopting Local Law No. 2006, a Charter Law to establish a fiscally sound, flexible policy for managing budget surpluses (Lindsay).*** I believe we need to table that for a public hearing, I'll make the motion.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

With a second, Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries, ***approved (VOTE: 7•0•0•0).***

***1647•06 • Adopting Local Law No. 2006, a Charter Law to implement two•year rolling debt policy under 5•25•5 Law to mitigate budgetary shortfall (County Executive).*** We need to table that for a public hearing. I'll make the motion. Do I have a second?

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Second by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries, ***tabled (VOTE: 7•0•0•0)***.

Moving along to •• no Tabled Memorializing Resolutions, no Memorializing Resolutions, no Tabled Home Rule Messages.

**Home Rule Messages**

***Home Rule Message No. 3 • Home Rule Message requesting that New York State Legislature amend the tax law authorizing the County of Suffolk to be exempt from certain taxes related to the purchase of any hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle (Assembly Bill A.10407) (Romaine).***

**LEG. LOSQUADRO:**

Motion to approve and have the Clerk list me as a cosponsor.

**LEG. ALDEN:**

Second; cosponsor.

**LEG. COOPER:**

Excuse me, through the Chair.

**CHAIRMAN MONTANO:**

Go ahead, Legislator Cooper.

**LEG. COOPER:**

Does anyone know who the sponsor, who the Assembly sponsor is?

**LEG. VILORIA•FISHER:**

Thiele.

**MR. NOLAN:**

Thiele.

**CHAIRMAN MONTANO:**

All right. Does anybody want an explanation? Are they still in session there?

**MR. NOLAN:**

Yes.

**CHAIRMAN MONTANO:**

Yeah, okay.

**LEG. ALDEN:**

It's a Home Rule Message.

**CHAIRMAN MONTANO:**

Okay. Thank you, Legislator Alden. All in favor? Opposed? Abstentions?

**LEG. SCHNEIDERMAN:**

List me as a cosponsor, please.

**CHAIRMAN MONTANO:**

Cosponsor, Legislator Schneiderman. And with that, I will move to adjourn the meeting. Thank you.

**LEG. ALDEN:**

Nice job, Rick.

**CHAIRMAN MONTANO:**

Thank you, Cameron.

***(\*The meeting was adjourned at 11:30 A.M. \*)***

***Legislator Ricardo Montano, Chairman***

## ***Budget & Finance Committee***

***{ } • Denotes Spelled Phonetically***